

Title 40—Protection of Environment
 CHAPTER I—ENVIRONMENTAL
 PROTECTION AGENCY
 SUBCHAPTER C—AIR PROGRAMS
 PART 52—APPROVAL AND PROMULGA-
 TION OF IMPLEMENTATION PLANS
 Approval of Transportation and/or Land
 Use Controls

On April 30, 1971, pursuant to section 109 of the Clean Air Act, as amended, the Administrator promulgated national primary and secondary ambient air quality standards for six pollutants. The act requires that the primary standards protect the public health with an adequate margin of safety, and that the secondary standards protect the public welfare from any known or anticipated adverse effects. Under section 110 of the act, States were required to prepare and submit to the Administrator plans for implementing the national ambient air standards in each air quality control region in the State. The Administrator published on May 31, 1972, his initial approvals and disapprovals of State implementation plans developed and submitted under these provisions of Federal law.

The presence in the ambient air of three of the pollutants for which control strategies were required to be submitted by States—carbon monoxide, hydrocarbons, and photochemical oxidants—is largely attributable to motor vehicles; consequently many States were unable to formulate, and submit, adequate control strategies that utilized only limitations on emissions from stationary sources. However, as the Administrator noted in his May 31 approval/disapproval of implementation plans, neither the States nor the Environmental Protection Agency had any practical experience that would permit the development of meaningful transportation control schemes or the prediction of their impact on air quality. States were advised that adoption of transportation control schemes could be deferred beyond the statutory deadline for submittal of implementation plans but those plans would have to define the degree of emission reduction to be achieved through transportation control measures and identify the measures being considered. States were required to submit adopted transportation control strategies no later than February 15, 1973.

Many States requested 2-year extensions pursuant to section 110(e) of the act for the attainment of the primary standards for these pollutants based on the unavailability of transportation control measures. The Administrator determined that, in fact, transportation control measures would not be available soon enough to permit attainment of the primary standards within the 3-year time period prescribed by the act; therefore, 2-year extensions were granted at the request of those States that had determined that transportation control measures would be necessary. In some cases, this meant that States were required to submit on February 15, 1973, transportation and/or land-use control measures

that would achieve the standards by 1977. In other cases, the 2-year extension meant that certain States would not have to submit transportation control measures because the Federal motor vehicle control program (FMVCP) and/or stationary source control would be adequate to achieve the standards by 1977 without the application of any other transportation and/or land-use measures. In order to assist the States in the development of transportation control strategies, the Environmental Protection Agency conducted numerous studies and made their results available to the States. In addition, contract assistance was provided in developing the strategies for 14 of the affected regions, and the reports of these studies have been made available to all the States.

On January 31, 1973, the U.S. Court of Appeals for the District of Columbia Circuit decided the case of *Natural Resources Defense Council Inc., et al. v. Environmental Protection Agency* (civil action No. 72-1522) and seven related cases, hereafter referred to as *NRDC v. EPA*. It issued an order which held that the Clean Air Act does not permit the delay in submission of transportation control portions of State implementation plans until February 15, 1973, or permit the granting of extensions to mid-1977 for attainment of the national primary air standards where plans had not been submitted. The order required the Administrator to formally rescind through notice to the States and publication in the FEDERAL REGISTER the extension of time granted for submission of transportation and/or land-use control portions of implementation plans. It also required the Administrator to formally rescind in the same manner the extension granted to several States to delay implementation of their plans or portions thereof until May 31, 1977. The court ordered the Administrator to inform the States concerned that "all States that have not yet submitted an implementation plan fully complying with the requirements of the Clean Air Act of 1970 must submit such a plan by April 15, 1973. That plan must satisfy each and every requirement of section 110(a)(2)(A)-(H) if it is to be approved by the Administrator. In particular, it must provide for the attainment of the primary standards as expeditiously as practicable but in no case later than May 31, 1975, * * *"

In accordance with this order, 22 States including the District of Columbia were notified by telegram on February 5, 1973, that any extensions granted because of the unavailability of transportation and/or land-use controls were canceled and that plans for the attainment and maintenance of the standards for these three pollutants would be required by April 15, 1973. A FEDERAL REGISTER notice was issued on March 20, 1973 (38 FR 7323), to complete the requirements of that court order by specifically amending the provisions of this part with regard to each of the States concerned. These amendments provided that every State which was granted an extension to

achieve those primary standards and/or permitted to defer submittal of the transportation and/or land-use control strategies until February 15, 1973, would be required to submit no later than April 15, 1973, transportation and/or land-use controls which will show achievement of the standards by 1975. In addition to those States which were required to submit transportation and/or land-use control strategies on February 15, a number of other States which had regions that would not achieve the standard by 1975 but which had not been required to submit transportation control strategies because the FMVCP was thought capable of achieving the standards by 1977 were required to submit transportation control strategies on April 15. States that were not granted an extension but that had deficient plans were also required to submit transportation control strategies on April 15, 1973. Strategies adopted by the States must provide for attainment and maintenance of these standards by May 31, 1975. At the time of submission of these plans on April 15, the Governors of the States could request an extension up to 2 years for compliance with the provisions of these plans if the specific requirements of section 110(e) are satisfied by the State plan.

To date, 16 States including the District of Columbia have submitted plans. These plans have been reviewed by the Department of Transportation, as well as by the Environmental Protection Agency, and have also been made available for public review and comment. Based upon the comments received and the Agency's evaluation of the plans in light of pertinent legal requirements, the Administrator is taking action to approve or disapprove inadequate portions of these plans.

The approval/disapproval decisions are based on a detailed evaluation of plans submitted by the States. Criteria for this evaluation include adequacy of control strategies, control plan adaptation and submission procedures, accuracy of air quality data and emissions inventories, extension request considerations, provisions for air quality and source surveillance, review of legal authority, adequacy of resources, and provisions for intergovernmental cooperation.

Where the Administrator disapproves a State plan or portion thereof, or where a State fails to submit an implementation plan or portions thereof, the Administrator is required, under section 110(c) of the act, to propose and subsequently promulgate regulations setting forth a substitute implementation plan or portions thereof. Where regulatory portions of a State plan, including control strategies and related rules and regulations, are disapproved or were not submitted, regulations setting forth substitute portions will be proposed and promulgated. When disapproved portions are of a non-regulatory nature, e.g., air quality surveillance, resources, and intergovernmental cooperation, and therefore are not susceptible to correction through promulgation of regulations by the Administrator, detailed comments will be in-

cluded in the evaluation report; in such cases, the Environmental Protection Agency will work with the States to correct the deficiencies.

To the extent possible, the Administrator's evaluation of State plans reflects the latest information submitted by the States. In the interest of giving States every opportunity to bring their implementation plans into full compliance with the act and 40 CFR, part 51, the Environmental Protection Agency has notified States that modifications submitted after the deadline for submittal of State plans would be accepted and considered provided that such modifications were made and submitted in accordance with the requirements of 40 CFR, part 51. Accordingly, many States have been, and still are, making and submitting modifications of their implementation plans. Where such modifications were not received in time to affect the Administrator's approval or disapproval today of a State plan or portion thereof, appropriate changes to this part will be published as soon as the Administrator's evaluation of such modifications has been completed.

The act directs the Administrator to require a State to revise its implementation plan whenever he finds that it is substantially inadequate for attainment and maintenance of a national standard. In accordance with the statutory mandate, the Environmental Protection Agency will make a continuing evaluation of the State plans and will, as necessary, call upon the States to make revisions.

A discussion of the available transportation control alternatives, and the Administrator's approvals and disapprovals, is set forth below. A more detailed description of disapproved portions, together with an explanation of the basis for disapproval, will be provided to the States. Copies of these evaluation reports are available for public inspection at the Freedom of Information Center, Office of Public Affairs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, and in the Agency's regional offices.

TRANSPORTATION CONTROL ALTERNATIVES

Transportation control plans provide for reductions in carbon monoxide and hydrocarbon levels required beyond the reductions provided by the Federal motor vehicle emissions control program and stationary source regulations set forth in the previously approved State implementation plans. These reductions are to be accomplished through the implementation of the transportation control alternatives discussed below. The appropriateness of a particular alternative is determined by the pollutant controlled (carbon monoxide or oxidant) as well as by the characteristics of the specific air quality control region such as topography, demography, climatology and institutional arrangements.

The control of carbon monoxide is influenced by its lack of reactivity and its localized dispersion characteristics. High ambient carbon monoxide concentra-

tions can be decreased by reducing the density of emissions in a specific area of interest. In addition to control measures that would reduce the emission potential of the individual vehicle, a variety of traffic control measures can be utilized to reduce ambient carbon monoxide levels in high concentration areas. Three general types of traffic controls have been considered—measures to improve traffic flow, programs to reduce total vehicle miles of travel (VMT), and programs to shift traffic away from high concentration areas. Depending upon the local situation, all three can be effective in reducing carbon monoxide levels. However, traffic flow improvements must often be accompanied by restrictions that will prevent the latent travel demand from reconstituting traffic arteries. Traffic flow can be improved through various traffic engineering programs as well as through staggered work hours. Strategies to reduce total vehicle miles of travel include auto-free zones, increased parking fees, 4-day workweeks, and improved public transit. Carbon monoxide levels can in many cases be reduced by the temporal or spatial redistribution of the emissions, which is especially applicable to localized high ambient concentrations such as occur in many central business districts (CBD). Reduction of air quality in the surrounding area must be considered when spatial redistribution is utilized as a control measure.

Photochemical oxidant, primarily ozone, is a secondary pollutant; it results from the reaction of two primary pollutants (hydrocarbons and nitrogen oxides) in the presence of sunlight. As such, it differs from carbon monoxide in that there exists a lag time between the emissions of the primary pollutants and the formation of the secondary pollutant; therefore, the reduction of oxidant concentrations depends upon reduction in precursor (primary pollutant) emissions over a much wider area than required for the reduction of primary pollutant concentrations. The extent of the reduction in hydrocarbon emissions required to meet the air quality standards for oxidants, as determined by statistical evaluation of observed data, is specified in 40 CFR, part 51, appendix J. Control measures such as inspection/maintenance, retrofit, increased parking fees and road tolls, 4-day workweeks, car pooling, improved mass transit, "smog taxes" on automobiles and gasoline, gasoline rationing, etc. can be used to reduce hydrocarbon emissions over a wide area. Traffic flow measures or controls that redistribute the emissions over time or space are not considered effective in reducing photochemical oxidants.

Measures which reduce both carbon monoxide and hydrocarbon emissions from vehicles include inspection/maintenance programs and vehicle retrofit devices. Estimates of the effectiveness of these measures were provided in a notice of proposed rulemaking published January 12, 1973 (38 FR 1467) and promulgated in final form on June 8, 1973 (38 FR 15193). Alternative transportation

control measures contained in State plans such as improvements in mass transportation, car pooling, methods of gaining a general reduction in vehicle miles traveled, traffic flow improvements, inspection and maintenance measures as well as retrofit programs, are discussed in subsequent sections.

MASS TRANSIT

Since automobiles are the major source of carbon monoxide and hydrocarbon emissions in most cities, it would be desirable from an air quality standpoint if many trips presently made by auto could be diverted to other modes of travel.

It should be pointed out that any mass transit improvements requiring major construction, such as the extension of existing fixed-route systems or the building of new systems, cannot be completed by 1975 or 1977 unless such construction is already underway. Accordingly, for purposes of achieving the carbon monoxide and oxidant air quality standards by the statutory deadlines, mass transit strategies must focus on alternative systems, primarily bus transit, and on immediate improvements in existing systems. Much can be done to improve existing fixed-route and bus systems in order to increase their attractiveness to the traveling public. Such improvements could include modifications in schedules, routes, and fare structures; preferential treatment facilities for bus transit, such as exclusive bus lanes; park-and-ride facilities; measures to increase the comfort and security of passengers; and improved public information and marketing programs.

Where mass transit improvements are not sufficient to significantly reduce auto travel, as is generally the case, disincentives to, and restraints on, auto travel may be needed. Economic disincentives such as higher parking charges and tolls, higher gasoline taxes, and higher fees for auto registration might be used for this purpose. Alternate modes of transportation must be available concurrent with the imposition of vehicle restraints in order to retain mobility for the public.

Techniques that improve mass transit service and simultaneously restrain the automobile may be effective in diverting auto riders to mass transit. Provision for exclusive lanes for buses and carpools which simultaneously reduce road capacity available to the auto is an example. Other techniques would include priority metering for buses on expressway ramps, bus-priority signalization, and auto-free zones.

Many States have proposed mass transit improvements as part of their programs to meet ambient air quality standards. In some cases, States have made excessive or unsubstantiated claims of emission reductions resulting from mass transit improvements. In these cases, the Administrator has exercised his judgment in assigning different emission reductions. As in the case of traffic flow improvements, such an estimate has not in itself resulted in disapproval of a control strategy where the control strategy

provided sufficient margin or included adequate contingency measures.

CAR-POOLING

Increasing the average occupancy rate of automobiles is a conceivable method of reducing vehicle miles traveled (and thus automotive air pollutant emission) without unduly restricting personal mobility. Experimental programs have shown that incentive measures such as express lanes, reduced tolls, and preferential parking can lead to the formation of car pools. Innovative car-pool locator and information systems can also be used to assist in the formation of groups of individuals who live and work near each other and who have compatible work schedules. These programs will allow trip making while reducing air pollution emissions and the drain on natural resources.

REDUCTION IN VMT

Measures such as mass transit, car pools, bus lanes, parking restrictions, increased bridge tolls, gas rationing, and others are designed to reduce the vehicle miles traveled (VMT). The Administrator believes that some reduction in VMT can be reasonably achieved by 1975 by employing available transportation control strategies. Application for time extensions to meet standards therefore cannot be granted until some reduction in VMT can be shown by control strategies submitted in state plans.

Information available on possible VMT reductions is incomplete. It is as true today as it was a year ago that states have had practically no experience with transportation control measures as a means of dealing with air quality problems. Aside from the Nation's experience during World War II (gasoline rationing), no one knows what the public response to significant measures for reducing VMT will be. The studies that have been made on this point are inadequate and are necessarily hypothetical until the measures have actually been put into effect. Public attitudes in major urban areas do appear to be changing, however, and are becoming less favorable to the continued use of automobiles on the present scale.

Finally, even the ability of different modes of transportation to absorb the demand for trips that would be created by a significant VMT reduction will vary greatly with the individual characteristics of the city involved. No firm projection of what alternative transportation is available can be made without a detailed traffic study of the individual region, and, for the most part, such studies have not been made.

It is clear, however, that the authors of the clean air amendments of 1970 anticipated that substantial VMT reductions might be necessary to achieve the standards. The Senate report on the act states that "until the vehicle population is largely made up of cars that meet the 1975-76 standards, as much as 75 percent of the traffic may have to be restricted in certain large metropolitan areas if health standards are to be achieved within the time required by this bill."

It is also clear from the January 31, 1973, court of appeals decision that if VMT reduction measures are reasonably available by 1975, and if the standards cannot be achieved without them, they must be put into effect. This is true even though the restrictions may be necessary only for a few years until cleaner cars come into more widespread use. Against this background, the Administrator has reexamined the question of VMT reduction and has concluded that a reduction in VMT in 1975 is a feasible and necessary measure for many regions.

Though some reduction in the use of private automobiles may be expected simply from the use of measures designed to increase the attractiveness of other means of transportation, VMT reductions can only be assured through the use of some form of restraint or disincentives to vehicle usage.

A measure cannot be considered "reasonably available," if putting it into effect would cause severe economic and social disruption. Although some reduction in personal travel could certainly be absorbed without such disruption, achievement of a significant VMT reduction will require that the majority of the travel displaced from single-passenger automobiles be absorbed by other modes of transportation such as car pools and public transit, or by walking or bicycling.

The only significant expansion of public transit facilities that can be accomplished by 1975 except where construction is already underway is the upgrading and physical expansion of bus services. Much however, can be done in this regard. Scheduling and service can be improved and optimized. Individual lanes of freeways and other major roads can be set-aside for the exclusive use of buses. Significant numbers of new buses can be purchased and put into service by then. According to Department of Transportation figures, 2,500 transit buses were sold in this country in 1972, but the transit industry's production capacity is projected to be more than 6,000 buses a year by 1975.

Sufficient alternative transportation capacity appears to be available now, or will be available by 1975, to allow significant VMT reductions (perhaps 10 to 15 percent) by 1975 in most of the Nation's cities. Further significant reductions should be possible by 1977. Alternative transportation capacity exists partly in present mass transit facilities, or can be created through the expansion of bus service. In part it exists in the possibility that many short trips now made by car could be made by bicycle or on foot.

A major part of the transportation demand created by VMT reductions can be absorbed by car pools. Private automobiles, which are designed to carry four to six persons, carry an average of one and one-half persons per trip in major urban areas, and thus represent the largest unused pool of transportation capacity currently available. The Administrator cannot directly require the use of car pools. It can be expected, however, that as measures to make the use of private automobiles less convenient are imposed,

increased reliance on car pools will develop naturally as a matter of private initiative.

VMT reduction measures which the Administrator may propose will vary according to the pollution problem of the individual region. Three major control measures appear to be particularly effective for VMT reduction. The first is the use of parking restrictions in central business districts (CBD). In addition to helping solve the problem of localized carbon monoxide pollution in these areas, as noted above, such measures can be expected to discourage auto trips to CBD's by making it more difficult to park the car at the end of the trip, and thus encouraging a shift to alternate modes of transportation. The second is the conversion of one or more lanes of freeways and major streets to the exclusive use of buses or car pools or both. This can be expected to encourage the use of the favored modes of transportation by reducing traveltime and to discourage the use of private automobiles by reducing the amount of road space available to them. The third is the imposition of gasoline supply limitations which might be no more than a limit on the growth in gasoline consumption. This can be expected to further reduce VMT. In some regions, this will be made necessary by the legal requirement to propose a plan theoretically capable of meeting the standards by 1975, or by 1977 at the latest.

TRAFFIC FLOW IMPROVEMENTS

In central business districts, traffic speeds are low during most of the day. Various traffic flow improvement measures, including operational improvement of existing roads, have been proposed by many States on the basis that the resulting higher traffic speeds will substantially reduce pollutant emissions.

There are indications that the resulting improvement in air quality will be short-lived, since street improvements tend to induce additional traffic. With higher traffic volumes, total emissions would increase. Within a year or two the emissions may in fact be at higher levels than if the traffic flow improvement measures had not been implemented at all.

It may be possible in some areas to counteract the induced traffic by appropriate measures; but, in general, the States have not addressed themselves directly to this problem. Where the States have considered and proposed such countermeasures, they have been proposed as separate control measures for which additional emission reductions have been claimed. The Administrator recognizes that it is not easy to solve the problem of induced traffic; however, failure to recognize the problem gives a false picture of the results of the traffic flow improvements, and failure to identify the major elements of the problem could result in inadequate monitoring and in inadequate planning of counter and contingency measures.

INSPECTION/MAINTENANCE

Pollutant emissions from in-use vehicles can be reduced by ensuring that engines and emission control devices are maintained in good operating condition. Such reductions can be achieved through periodic inspections of in-use vehicles and the repair of vehicles that fail to meet inspection standards. The degree of emission reduction obtained will depend on the frequency of inspection and the particular inspection standards used. The total emission reduction achievable through a particular inspection measure will be accomplished only after the vehicles in a particular area have completed the inspection/maintenance cycle.

States have proposed three principal types of annual inspection programs: Idle emission tests, loaded emission tests, and inspection and maintenance. The Administrator has evaluated the feasibility of these systems and the time generally required to implement the measures and complete one inspection cycle. An idle-test program (i.e., tests with transmissions in neutral) can be fully implemented by May 31, 1975. A loaded-test program (i.e., tests with the vehicle placed on a dynamometer which is programmed to simulate actual driving conditions) leads to somewhat greater emission reductions, but, due to the equipment needed, may require up to 6 additional months for implementation (December 1, 1975). The implementation completion dates for these tests are subject to adjustment based on an evaluation of results from current programs, and availability of facilities for safety inspection, and licensed garages.

The Administrator does not currently believe that implementation of heavy-duty vehicle maintenance/inspection programs can be assured, even by 1977. Currently a successful inspection/maintenance approach for heavy-duty vehicles has not been identified. Accordingly, provisions for heavy-duty vehicle inspection/maintenance have only been considered acceptable in the New York City transportation control plan in view of the city's continuing program to develop and test heavy-duty retrofits.

Most States have not yet developed detailed plans for implementation of inspection/maintenance programs. Implementation will require obtaining the necessary legal authority; promulgating the required regulations specifying appropriate emission or other performance standards and testing procedures; training garage mechanics; licensing garages where necessary or appropriate; and training the State's supervisory manpower.

RETROFIT CONTROL SYSTEMS

Some States have proposed that retrofit emission control systems be required for light- and/or heavy-duty vehicles registered in those areas of the State having pollution that significantly affects a particular air quality control region. The retrofit devices which have been proposed include vacuum spark advance disconnect (VSAD), air bleed, catalysts, and heavy duty retrofit catalysts.

These devices are currently in various stages of development and use. For any

retrofit strategy to be effectively implemented, the affected State must insure that the devices are in fact capable of achieving the claimed emission reductions; that the devices do not adversely affect the safety of the automobile; that the devices will be available in sufficient quantity at convenient places; that there are sufficient trained mechanics; that the devices are being properly installed; and, in the case of catalytic devices, that leaded gasoline will not be used and that sufficient quantities of unleaded gasoline of appropriate octane number will be available. These are not easy tasks, and the States that have proposed retrofit strategies may have difficulty implementing their programs.

In light of these difficulties, the Administrator has extensively evaluated the minimum time frame which would be generally required to complete the implementation of the particular retrofit strategies. As a result of this evaluation, the Administrator determined that vacuum spark disconnect strategies could be implemented by May 31, 1975, but that implementation of an air bleed control strategy could not be accomplished before May 31, 1976, or light-duty catalytic retrofit strategies before May 31, 1977. It was further determined that implementation of the heavy-duty catalytic retrofit program cannot be assured, even by May 31, 1977. The general implementation time frame determinations noted above are reflected in the agency's approval/disapproval decisions.

The Administrator, however, also considered the regions' particular ability to implement a designated strategy. For example, the heavy-duty catalytic retrofit strategy was approved for the plan submitted by the State of New York for New York City. The approval was based upon the existence of the city's ongoing program to develop heavy-duty catalytic retrofit devices.

In general, retrofit systems that are capable of high reductions in emissions also involve higher costs, including both installed cost and operating cost. Since a retrofit program would involve large numbers of vehicles, the total cost of such a program can be expected to be large. Accordingly, the Administrator, in his regulation pertaining to the preparation, adoption, and submittal of implementation plans (40 CFR 51.2), has encouraged the States to consider the socio-economic effects which may accompany retrofit control strategies.

ECONOMIC AND SOCIAL IMPACT

The regulations promulgated by the Administrator in August 1971, setting forth the requirements for preparation, adoption, and submittal of State implementation plans included a stipulation that the requirements should not be construed "to encourage a State to prepare, adopt, or submit a plan without taking into consideration the social and economic impact of the control strategy set forth in such plan * * *". In this context, an assessment of the economic and social impacts of the transportation control strategies proposed by the States is being completed.

Each element of a transportation control strategy involves commitments of manpower, facilities, equipment, and material which involve direct costs that can be quantified and budgeted. It should be noted that private citizens, especially the car-owning population, will probably be more directly affected (in terms of cost) by these control measures than by typical stationary source control measures.

There are also social impacts which occur as a result of the implementation of transportation control measures. These impacts take the form of non-monetary costs attributed to control measures, such as inconvenience and loss of time and opportunity. Control measures which affect personal mobility, choice of travel mode, and regional accessibility also induce monetary social costs, although quantification of these costs is difficult.

Society will be affected by the implementation of transportation control measures in several specific ways. An individual will incur direct personal costs when bringing his vehicle into compliance with specific strategies. A decrease in or inhibition of the mobility of the individual may affect employment and retail business operations and sales, as well as recreational activities and facilities. Public service and enforcement activities will require expanded capabilities and resources as a result of implementation of the transportation control strategies. In addition, there will be measurable impacts on raw materials and natural resources, such as the energy supply.

The most significant impact, however, will result from measures which directly affect the individual's mobility and life style and necessitate changes in the economic structure of the community. The severity of this impact in each urban area depends on the degree and magnitude of the control measures proposed; the extent to which vehicle usage is restricted; the manner in which direct costs of abatement are financed; and the degree to which incentives are provided to ameliorate the effects of the control measures.

EXTENSION REQUESTS

Section 110(e) of the Clean Air Act provides that an extension of up to 2 years in the time allotted a State for achieving any given primary standard in any air quality control region may be granted only if the Governor of a State requests it and establishes the following to the satisfaction of EPA: (1) He must have presented a plan which is theoretically able to achieve the standards by the 1975 deadline; (2) he must show that certain elements of the control strategies necessary to control certain sources will not be available by 1975; (3) he must show that there are no alternatives to those essential elements in (2) above that will not be available by 1975; (4) he must demonstrate that the plan provides for the application, as soon as is practicable, of all reasonably available measures for reducing emissions from these sources; and (5) he must show that all strategies in the plan for the control of other sources will be applied

by May 31, 1975. The January 31, 1973, Court of Appeals decision placed particular stress on the requirement for a careful examination of extension requests. An extension, if granted, applies only to those specific measures for which more time is required. All other measures in the plan must be fully implemented by May 31, 1975, or sooner as provided in the plan.

If the State has not met the conditions of section 110(e), the Administrator must disapprove the extension request and propose a substitute plan. If it becomes apparent either that the original denial was in error or that the best achievable plan still will not meet the standards in 1975, the Environmental Protection Agency may grant itself an extension of time, if justified by the facts, up to a 2-year maximum. In granting itself the extension, the Environmental Protection Agency is bound by the same legal standards as those that apply to State requests. In particular, no such extension will be legally valid unless the requirements of section 110(e) have been met.

PUBLIC HEARINGS AND COMMENTS

All States were required, prior to the adoption of any plan or revision thereof, to conduct one or more public hearings on such plan, compliance schedule, or revision. Notice of a public hearing was to be given at least 30 days prior to the date of such hearing. Notice was to be given by prominent advertisement, in the region affected, of the date, time, and place of such hearing. The proposed plan or revision was to be available for public inspection at the time of announcement of the notice.

Comments were received from the general public, private industry and such organizations as Natural Resources Defense Council. Typical comments were as follows: (1) Plans did not provide necessary assurance that the State will furnish the required resources to implement the control strategies; (2) plans did not provide an adequate description of the enforcement methods, administrative procedures, monitoring systems, and surveillance programs necessary for plan implementation; (3) plans made unjustified and legally insufficient request for extensions of the deadline for attainment of the primary standards; and (4) plans did not make provision for intergovernmental cooperation in the implementation of a strategy.

These and other comments are addressed in the preamble to the specific State plans and in the evaluation reports written for each State plan.

FUTURE STATE ACTION REQUIRED

As indicated in the March 20, 1973, notice, the complete formulation of transportation control strategies requires three steps. The first step was completed with submittal on April 15, 1973, the State control strategies, as defined in 40 CFR 51.1(n), which are proposed to be put into effect on a specified timetable. A listing of possible transportation control strategies does not meet this requirement, even if it is coupled with general assurances that one or more of the

measures described will be put into effect if necessary. To be acceptable, a plan must make choices and indicate specifically what will be done. In addition, a plan must contain the specified air quality data and projections of strategy impact, and must meet other requirements of part 51.

Second, States must submit evidence that they will possess the legal authority by July 30, 1973, required to carry out the plan. In those instances where the legislature is still in session, or where the Governor has indicated he will call a special session of the legislature to consider transportation controls, transportation strategies may be approved this date regarding the requirements of § 51.11 (a), (c), (d), (e), and (f) calling for legal authority, since the Agency has previously stated that necessary legislative authority may be submitted by July 30, 1973. To the extent that legal authority is not shown to be available at that time, the affected elements of the plans will be disapproved, and the Administrator will promulgate substitute provisions unless the State can show that the authority is not currently needed, that it will be obtained before it is needed, and that no loss of time in meeting the standards will result from waiting to obtain it.

Detailed regulations for implementing the control strategy must be adopted by December 30, 1973. This does not defer the necessity for the States to choose their strategies and make firm commitments to put them into effect. It merely means that the detailed procedures involved can be approved later. If the plan did not provide adequate assurance that this later stage would be essentially procedural, so that substantial difficulties would not be likely to arise then, the plan was not approved.

FEDERAL MOTOR VEHICLE EMISSION PROGRAM

The April 11, 1973, decision of the Administrator (38 FR 10317) granting certain suspensions of the 1975 auto emission standards to the domestic auto manufacturers will, to some degree, affect the transportation control plans. It is estimated that the interim motor vehicle standards specified by the Administrator will increase the vehicle pollutant emissions in 1975 by 2 to 4 percent of that anticipated before the 1-year extension was granted to the automobile manufacturers. Because of the closeness of the date of the Administrator's decision and the April 15, 1973, deadline for plan submittal, only a few of the plans accounted for the effect of the interim standards. For those plans that are found to be inadequate, additional measures will be proposed by the State or the Environmental Protection Agency to compensate for the 1-year extension.

The effects of these and other factors will be kept under continual review and the States will be required, at appropriate times, to suitably revise their plans in accordance with the revision procedures prescribed by the Clean Air Act and 40 CFR 51.6.

SUMMARY OF APPROVAL/DISAPPROVAL ACTIONS

The Court of Appeals order required that transportation control plans be submitted by 21 States and the District of Columbia. Though not included in the court order, the Commonwealth of Virginia has also voluntarily submitted a transportation control strategy. Approval/disapproval actions today cover 43 separate air quality control regions or portions of regions found in these 23 jurisdictions. The actions taken in these 43 separate cases have been categorized as shown in the following table. This table identifies Air Quality Control regions (AQCR) or subregions with the name of a key metropolitan area associated with the region. For example, the Northern Alaska intrastate is designated Fairbanks and the Texas portion of the El Paso-Las Cruces-Alamogordo interstate region is designated El Paso.

APPROVAL/DISAPPROVAL SUMMARY

	Regions ¹
<i>Plans fully approved now:</i>	
Alabama, Birmingham, Mobile.....	2
New York, NYC, Rochester, Syracuse..	3
	5
<i>Plans fully approvable after expiration of comment period:</i>	
Kansas, Kansas City.....	1
Louisiana, Baton Rouge.....	1
Missouri, Kansas City.....	1
	3
	8
<i>Plans with generally approvable control strategy but procedurally deficient:</i>	
Arizona, Phoenix.....	1
D.C., National Capital.....	1
Illinois, Chicago.....	1
Oregon, Portland.....	1
Pennsylvania, Philadelphia, Pittsburgh.....	1
Utah, Salt Lake City.....	1
Virginia, National Capital.....	1
Washington, Seattle, Spokane.....	1
	10
<i>Plans submitted too late to evaluate:</i>	
Colorado, Denver.....	1
<i>Inadequate plan submitted—Significant EPA promulgation anticipated:</i>	
Maryland, National Capital, Baltimore.....	1
Texas, El Paso, Austin/Waco, Corpus Christi, Houston/Galveston, San Antonio, Beaumont, Dallas/Fort Worth.....	1
	9
<i>No plan submitted—Expected in July; significant EPA proposals needed:</i>	
California, San Francisco, San Diego, Sacramento, San Joaquin, Indio.....	1
Indiana, Indianapolis.....	1
Massachusetts, Boston, Springfield.....	1
Minnesota, Minneapolis/St. Paul.....	1
New Jersey, Newark, Camden/Trenton.....	1
Ohio, Cincinnati, Dayton, Toledo.....	1
Alaska, Fairbanks.....	1
	15
Total.....	43

¹ Air Quality Control Region or portion of Region.

A limited number of State plans are being completely approved today. However, the Administrator has approved portions of most plans submitted and recognizes the commitment and extensive effort put forth by many States in the development of these plans. He is confident that many States will correct the deficiencies and have fully approvable plans in the near future. Transportation control plans for Alabama and New York are completely approved. Based on evaluation of recent air quality measurements and updated emission inventories, the plan submissions indicate that control measures currently contained in three of the five regions in these States will achieve the standards by May 31, 1975. These regions are the Metropolitan Birmingham intrastate region in Alabama, the Alabama portion of the Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi intrastate region, and the central New York region. The two remaining regions in New York State require transportation controls and have submitted approvable plans. The Genesee-Finger Lakes intrastate region requires transportation controls to achieve the standards for photochemical oxidants (hydrocarbons) by May 31, 1975. The New York portion of the New Jersey-New York-Connecticut interstate region, which requires extensive transportation controls, has been granted an extension until December 31, 1976, to achieve the standards for photochemical oxidants and carbon monoxide.

The Administrator is required to disapprove three plans today that have not been available for public comment a full 21 days. It should be noted, however, that the Agency currently expects to approve these plans provided changes are not required in response to public comments. The portions of regions covered by these three plans are the Louisiana portion of the southern Louisiana-Southeast Texas interstate region, the Kansas portion of the Metropolitan Kansas City interstate region, and the Missouri portion of the Metropolitan Kansas City interstate region.

Ten plans submitted by eight States and the District of Columbia cannot be fully approvable today but contain strategies which either will achieve ambient air quality standards or require the addition or modification of several control measures to achieve standards. In some cases, disapproval today results from deficiencies in meeting requirements such as adequate legal and enforcement authority, monitoring and surveillance procedures, and timetables for implementation and enforcement. These plans are the result of extensive efforts by States. The Environmental Protection Agency is continuing to work with each State to revise State plans as necessary for them to be fully approvable.

Colorado recently submitted a detailed plan for Denver. This plan was submitted too late for the Administrator to complete his evaluation. In addition, the plan has not been available for public

comment for the required time period. Maryland and Texas submitted plans which are considered to have serious deficiencies in control strategies proposed to meet standards. It is expected that significant control measures will be proposed by the Administrator to make these plans acceptable.

Transportation control plans for 15 regions or portions of regions have been disapproved because no transportation control measures have been submitted by the appropriate States to the Administrator.

A discussion of specific actions relevant to each State is given below.

ALABAMA

The State of Alabama was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the Metropolitan Birmingham intrastate region, and for photochemical oxidants (hydrocarbons) in Alabama's portion of the Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi interstate region.

In accordance with *NRDC v. EPA*, this extension was rescinded, and Alabama was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975. On April 24, 1973, the State of Alabama submitted a nonregulatory plan revision. This revision was reviewed and evaluated by the Administrator pursuant to 40 CFR part 51. It has been determined after review that the revision submitted adequately insures that the Alabama plan meets the requirements of section 110. A summary of this review is contained in "Evaluation Report on the Transportation Control Study for the State of Alabama," which is available both at the Freedom of Information Center, EPA, room 329, 401 M Street SW., Washington, D.C. 20460, and at the Office of Public Affairs, EPA Region IV, 1421 Peachtree Street NE., Atlanta, Ga. 30309.

The approved implementation plan provisions were adopted in accordance with procedural requirements of State and Federal law. No public hearings on this revision were held by the State of Alabama. However, since the revision submitted was a nonregulatory revision, no hearing was required under 40 CFR 51.6. There were two respondents to the FEDERAL REGISTER of May 4, 1973 (39 FR 11113), "Notice of Opportunity for Public Comment on Proposed Transportation and/or Land Use Control Strategies." A major petroleum company commented on gasoline-loading requirements already adopted by the State of Alabama. The Natural Resources Defense Council challenged as inflated the Alabama figures indicating that the standards would be achieved on schedule without transportation controls through the increasing stringency of controls on new cars. Although, as noted in the evaluation report, EPA has not accepted the State figures in full, the figures even as adjusted

indicate in our best judgment that the standards will be met on schedule.

ALASKA

In accordance with *NRDC v. EPA*, Alaska was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the carbon monoxide standards in the Northern Alaska intrastate region by May 31, 1975.

The State of Alaska has neither held public hearings to consider alternate transportation and land use control strategies as part of their implementation plan for the region, nor has the State indicated that it will submit a plan in compliance with the March 20 FEDERAL REGISTER requirements.

As a result of Alaska's unresponsiveness to the Administrator's order of March 20, 1973, the Administrator must at this time indicate that deficiency and list the resultant exemptions to the approvability of the Alaska plan for the Northern Alaska intrastate region.

Should the State of Alaska submit its required plan, the Environmental Protection Agency will acknowledge formal receipt of the plan through the FEDERAL REGISTER and will provide an opportunity for the public to comment on the plan. All comments submitted will be considered in the plan review. The Environmental Protection Agency will then revise this disapproval notice as is deemed appropriate.

ARIZONA

The State of Arizona was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment and maintenance of the carbon monoxide standards in the Phoenix-Tucson intrastate region.

In accordance with *NRDC v. Environmental Protection Agency*, this extension was rescinded, and Arizona was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975. In addition, Arizona was directed to submit a transportation strategy for photochemical oxidants (hydrocarbons) for the Phoenix-Tucson intrastate region.

The State of Arizona held a public hearing on the proposed plan on January 25, 1973. At this hearing 27 persons testified, including representatives of 9 conservation groups and 3 industries. General support and endorsement were voiced for inspection/maintenance and retrofit as immediate solutions, but most testimony indicated that these strategies would be inadequate as permanent solutions. There was general support for long-term strategies such as mass transit, controlled growth, and land-use planning.

EPA received the plan on April 11, 1973, and published notice of its arrival in the FEDERAL REGISTER, 38 FR 10119 (Apr. 24, 1973), and invited comments.

One comment submitted criticized the use of a limited data base and lack of contingency measures in the plan and objected to the high cost of retrofits.

Comments received from three oil companies also objected to catalytic retrofits. In addition, the Natural Resources Defense Council submitted comments that challenged as too high the estimates of emission reductions to be achieved from retrofit and the establishment of an inspection and maintenance system; the general lack of regulatory language and choice of strategies; and the absence of VMT reduction measures. The feasibility of the proposed retrofit program was also questioned.

After reviewing the plan, the Administrator concluded that, if only the emission control on bulk tank farms and service station underground storage tanks were implemented as proposed, the national standards for photochemical oxidants could be attained by May 31, 1975, but that a 39-percent VMT reduction in addition to all the proposed strategies would be required in order to attain the standards for carbon monoxide by the 1975 deadline. However, the State's implementation dates for several of the proposed strategies are not acceptable.

The Administrator has determined that catalytic retrofits cannot be fully implemented before mid-1977, and that air-bleed retrofits cannot be fully implemented before mid-1976. In the State plan it was indicated that the proposed loaded inspection system cannot be fully implemented before mid-1976, even though the State already has an ongoing program established. EPA agrees with this assessment. Therefore, although these strategies are technically feasible, the Administrator cannot approve them for the Arizona plan because they will not be available to the State for use in attaining the national standards by May 31, 1975. In addition, the proposed retrofit and inspection strategies for heavy duty vehicles cannot be approved because these strategies are not considered implementable even by mid-1977.

A request by the Governor for an 18-month extension for both pollutants was included with Arizona's plan. However, the State failed to satisfy the justification criteria published in the FEDERAL REGISTER (36 FR 15493) for extension requests, namely, the plan contains no VMT reduction measures to be implemented during the extension period. In the judgment of the Administrator, sufficient alternative transportation capacity is presently or potentially available to achieve a 10- to 15-percent VMT reduction by 1975. Therefore, the Administrator cannot grant the extension. Nevertheless, it should be noted that, based on the above determinations, an 18-month extension would not be sufficient for implementing all the strategies needed for attainment of the standards.

The Administrator recognizes the sincere efforts of Arizona to develop technically sound and workable transportation control strategies. In order to realize its objective, the Administrator encourages the State to investigate the availability of strategies other than those involving heavy duty vehicles, and to submit an adequately documented justifica-

tion for an extension of the attainment dates for the carbon monoxide standards.

CALIFORNIA

The State of California was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the standards for oxidants (hydrocarbons) in the San Francisco Bay Area, Sacramento Valley, and Southeast Desert intrastate region, and for carbon monoxide in the Sacramento Valley intrastate region.

In accordance with *NRDC v. EPA*, this extension was rescinded and California was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

In addition, California was directed to submit a transportation strategy for photochemical oxidants (hydrocarbons) in the San Diego and San Joaquin Valley intrastate region and for carbon monoxide in the San Francisco Bay Area, San Diego, and San Joaquin Valley intrastate region. This directive did not include the Metropolitan Los Angeles intrastate region, which was already the subject of separate EPA rulemaking at that time.

Because the court order handed down in *NRDC v. EPA* required the Administrator to approve or disapprove State plans within 2 months after the date required for the submission of the plan, the Administrator is disapproving those portions of the California plan that were required to be submitted pursuant to paragraph 3 of the court order. This disapproval is based solely upon the lack of timely submittal of California's plan. The Environmental Protection Agency will, when the plan is received, acknowledge its receipt in the FEDERAL REGISTER, and will provide an opportunity for the public to comment on the plan. After evaluation of the plan that is to be submitted by California, and consideration of all comments, this notice will be revised accordingly.

COLORADO

The State of Colorado was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the standards for photochemical oxidants and carbon monoxide in the Metropolitan Denver Intrastate Region. In accordance with *NRDC v. EPA*, this extension was rescinded, and Colorado was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975. The State of Colorado held public hearings on its plan on January 19, 1973, and ultimately submitted the plan on May 31, 1973.

The court order required the Administrator to approve or disapprove State plans within 2 months after the date required for submission of a plan. Further, the Administrator must provide a period for public comment after receiving the plan and prior to publication of approval/disapproval notice in the FEDERAL REGISTER. Accordingly, the Administrator

must disapprove those portions of the Colorado plan that were required to be submitted pursuant to paragraph 3 of the court order. This disapproval is based solely upon lack of timely submittal of the required plan and is not meant to reflect on the content of the submitted plan.

The Environmental Protection Agency has acknowledged in the FEDERAL REGISTER receipt of the plan and is now providing an opportunity for the public to comment on this plan. All comments submitted by the public on the Colorado State plan will be considered. After considering the plan submitted by the State and all public comments, including the hearing transcript, the Environmental Protection Agency will take such final action as appropriate to approve all portions of the plan submitted by Colorado that are approvable and promulgate Federal regulations for the remainder.

DISTRICT OF COLUMBIA

In accordance with *NRDC v. EPA*, the District of Columbia was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the photochemical oxidants and carbon monoxide standards in the District of Columbia portion of the National Capital interstate region by May 31, 1975.

In order to develop a comprehensive plan for the National Capital interstate region, the District of Columbia revised and updated its original implementation plan to reflect the recommendations of the National Capital Interstate Air Quality Planning Committee. This committee is composed of representatives from the District of Columbia, the State of Maryland, and the Commonwealth of Virginia, including local jurisdictions. The committee was formed by an administrative agreement among Virginia, Maryland, the District of Columbia, and the Metropolitan Washington Council of Governments, and received a funding grant under section 106 of the Clean Air Act for the prime purpose of developing a region-wide transportation plan.

The District of Columbia held public hearings on February 12 and 13, 1973. Statements were presented by representatives of commerce, industry, and citizen environmental groups. Substantial support was evidenced for land use controls, staggered work hours, carpool incentives, "bike-ways," restrictions on free employee parking facilities, and an expanded commuter rail system. Business representatives objected to parking surcharges and the proposed ban on daytime deliveries by heavy-duty gasoline-powered trucks.

Upon receipt of the District of Columbia plan, EPA published notice of its arrival in the FEDERAL REGISTER, 38 FR 11114 (May 4, 1973), and invited comments. Comments were received from industry, public environmental organizations, chambers of commerce, governmental organizations, and private individuals. The written comments reflected strong objections to peak-hour delivery

bans, the parking surcharge, and the retrofit of gasoline service stations; evidenced substantial concern regarding the technical feasibility and safety implications of the proposed curtailment of aircraft taxing; and urged region-wide implementation of the plan. Receipt of the written comments was acknowledged by letters from the Regional Administrators to the commenting sources.

The comments submitted by the Natural Resources Defense Council deserve special mention. These comments challenged as too low the air quality baseline data used by EPA. They urged that the air quality monitoring system proposed by the District of Columbia be increased, and called for a commitment to implementation of a VMT surveillance system. They also urged that a more comprehensive system of vehicle restraints and VMT reduction measures be established. In addition, NRDC stated that a uniform plan for the entire air quality control region must be adopted, and expressed doubts as to the feasibility of the proposed retrofit program. Finally, NRDC stated that legal authority, regulations, timetables for implementation, adequate resources, and enforcement responsibilities and procedures were lacking in the case of certain strategies.

The plan proposed by the District of Columbia includes a broad spectrum of control measures for both mobile and stationary sources, which, if they can be fully implemented, could achieve the primary air quality standards for photochemical oxidants and carbon monoxide by May 31, 1975. Moreover, interim measures are proposed that could be implemented in the event that some of the primary measures are not available by May 31, 1975. However, the absence of proposed regulations and specific procedures for enforcement and administration of portions of the plan, plus the improbable availability or full implementation of several proposed control measures by May 31, 1975, preclude full approval of the plan.

Although no extension was requested, the Administrator is currently of the opinion that the long lead-time required for the principal control measure (catalytic converters) may well make it impossible to achieve national ambient air quality standards by May 31, 1975. Therefore, the Environmental Protection Agency proposes to promulgate a uniform plan that will reflect both the comprehensiveness of the control measures proposed by the District of Columbia and realistic lead-time constraints.

ILLINOIS

In accordance with *NRDC v. EPA*, Illinois was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the carbon monoxide standards in the Illinois portion of the Metropolitan Chicago interstate region by May 31, 1975.

The Illinois Environmental Protection Agency held public hearings on April 5 and 6, 1973, on its proposal for a transportation plan. This plan was subse-

quently submitted to the Administrator on April 17, 1973. Receipt was acknowledged in the April 27, 1973, FEDERAL REGISTER, along with a statement that EPA would consider additional comments submitted by the public. A comment from the Clean Air Coordinating Committee of Chicago, Ill., objected to this plan for the following reasons, among others:

- (A) Failure to utilize current State procedures in adopting this plan, and
- (B) Lack of requisite legal authority for implementation.

Based on an examination of applicable State and Federal law, procedures, and precedents (including the original State implementation plan adoption and submittal), the Administrator has determined that the State of Illinois has not adopted a transportation plan for submission to the Administrator, as required. It was found under sections 4 and 5 of the Illinois Environmental Protection Act that the authority to propose and determine the necessary transportation strategies does not reside unilaterally with the Illinois Environmental Protection Agency.

The Administrator, however, has examined this proposed plan, together with the entire hearing record of the State, and has determined that the proposed plan, had it met the requirements for adoption, would not have provided strategies that have the total capacity for attaining and maintaining the national standards for carbon monoxide. These proposed strategies were the Federal motor vehicle control program, which affects all gasoline-powered vehicles in the region; the Chicago motor vehicle emission inspection program, which affects vehicles in the city of Chicago; and the enforcement of parking restrictions on one side of one-way streets, which will only affect the Chicago central business district. Environmental Protection Agency calculations show that the strategies presented in this proposed plan would result in a total of 44-percent reduction in carbon monoxide emissions in the Chicago central business district instead of the necessary 50-percent reduction, based on measured air quality data reflected in the State's submission. A more detailed review by EPA of this proposed plan will be provided to the State. Copies of this evaluation report will be available for public inspection at the Environmental Protection Agency, region V, 1 North Wacker Drive, Chicago, Ill. 60606, and at the Office of Public Affairs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

A proposed EPA regulation setting forth a plan to attain and maintain the CO standards in the Illinois portion of the Metropolitan Chicago interstate region will be published shortly in the FEDERAL REGISTER and will provide an opportunity for the public to comment on the proposed plan.

INDIANA

The State of Indiana was granted, pursuant to section 110(e) of the act,

an extension of 2 years from the attainment of the photochemical oxidant (hydrocarbon) and carbon monoxide standards in the Metropolitan Indianapolis intrastate region.

In accordance with *NRDC v. EPA*, this extension was rescinded, and Indiana was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The State of Indiana held public hearings on proposed revisions to its plan for the Metropolitan Indianapolis intrastate region on April 9, 1973. On this date, the State indicated that the proposed plan was adequate to attain and maintain the air quality standards by May 31, 1975, with no application of additional controls for mobile or stationary sources. The Indiana SIP as originally submitted based its need for an extension for attainment of the CO standards upon the fact that a 28-percent reduction in CO emission would be achieved while a 45-percent reduction was needed. The 45-percent emission reduction was calculated using 16.3 parts per million 8-hour concentration as the second highest concentration. A reanalysis indicates that this was not the true second highest concentration because the 8 hours in which it was measured overlapped by 7 hours the period in which the highest concentration was measured. The second highest 8-hour concentration, which did not include any of the time period in which the highest concentration was measured, was 12.1 parts per million and occurred twice, September 7 and July 6, 1971. It has not been equaled since that time. This concentration of 12.1 parts per million would indicate that 25.6 percent reduction in CO emissions would be sufficient to attain the standards.

It was pointed out at the hearing that the air quality standard for photochemical oxidants was not exceeded once during the calendar year of 1972. The original Indiana plan with its need for an extension was based upon the second highest 1-hour average photochemical oxidant measurement of 0.13 parts per million recorded in 1971. There was no apparent opposition to the State's implied intent to neither propose any additional strategies nor request an extension for attaining the photochemical oxidant ambient air quality standard by 1975. However, at that time, the EPA region V office requested that the proposed plan provide an explanation regarding the reduction of measured photochemical oxidant concentrations between the years 1971 and 1972.

The State has not formally submitted its plan to date. Because the court order requires the Administrator to approve or disapprove State plans within 2 months after the date required for submission of a plan, the Administrator is disapproving those portions of the Indiana plan that were required to be submitted pursuant to paragraph 3 of the court order. This disapproval is solely based upon the lack of timely submittal of the required plan and is not meant to reflect

on the content of an expected late submittal. A proposed EPA plan will be published soon for comment.

The Governor of Indiana is expected to submit the plan in the near future. When the plan is received, the Environmental Protection Agency will acknowledge, in the FEDERAL REGISTER, receipt of the plan and will provide an opportunity for the public to comment on this plan. All comments submitted by the public on both the EPA proposal and the anticipated Indiana State plan will be considered. After considering the plan submitted by the State of Indiana and all comments, the Environmental Protection Agency will take such final action as appropriate to approve all portions of any plan submitted by Indiana that are approvable and promulgate Federal regulations for the balance.

KANSAS

The State of Kansas was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the carbon monoxide standards in the Kansas portion of the Metropolitan Kansas City interstate region.

In accordance with *NRDC v. EPA*, this extension was rescinded and Kansas was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The Kansas Board of Health in conjunction with the State of Missouri held a public hearing on April 12, 1973, during which alternative transportation control strategies were considered. Subsequent to that hearing, Kansas submitted a non-regulatory plan revision that utilized a lower air quality base value for computing the required degree of control to meet the air quality standards by May 31, 1975. The State indicated that the Federal motor vehicle control program plus stationary source control of carbon monoxide would be sufficient to provide the required emission reductions and would thus obviate the need for a transportation and/or land use control strategy. Because of the late submission of the plan revision, the Administrator has not had adequate time to evaluate public comments on the approvability of such revisions. Hence, as required by the January 31, 1973, court order, the Administrator is today disapproving those portions of the Kansas implementation plan that were to be addressed.

After the period for opportunity for public comment on the plan closes, all comments submitted by the public will be considered in the plan review. The Environmental Protection Agency will then revise this disapproval notice as is deemed appropriate.

LOUISIANA

The State of Louisiana was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the photochemical oxidant (hydrocarbon) standards in the Louisiana portion of the southern Louisiana-southeast Texas interstate region.

In accordance with *NRDC v. EPA*, this extension was rescinded, and Louisiana was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

On March 30, 1973, Louisiana submitted implementation plan revisions that consisted of controls for hydrocarbon emissions from stationary sources (regulations 22.8 and A 22.8), emission inventory changes, and an updated control strategy. These revisions indicated that the national standards for photochemical oxidants (hydrocarbons) would be attained in Louisiana's portion of the southern Louisiana-southeast Texas interstate region by May 31, 1975. A review of these revisions was conducted by the Administrator, pursuant to 40 CFR, part 51. Submittals by the State must be reported in the FEDERAL REGISTER, and a 21-day period set for receipt and analysis of public comment prior to approval/disapproval. Because Louisiana's submittal was not promptly reported, there is insufficient time to analyze and/or include public comment into the approval/disapproval decision by June 15, 1973. When analysis of public comments is completed, this notice will be revised accordingly.

A summary of the Administrator's review based on currently available information is contained in the evaluation report which is available at both the Freedom of Information Center, EPA, room 329, 401 M Street SW., Washington, D.C. 20460, and the Office of Public Affairs, EPA, Region VI, 1600 Patterson Street, suite 1100, Dallas, Tex. 75201.

Public hearings were held by the State of Louisiana on December 28, 1972, to consider the revisions to the State's stationary source controls, and on March 1, 1973, to consider the revised control strategy. The revisions were adopted in accordance with procedural requirements of State and Federal law, which provided for adequate public participation through notice, public hearings, and time for comment. The general consensus of those present at the hearings was that the proposals were satisfactory.

MARYLAND

The State of Maryland was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the standards for carbon monoxide in the Metropolitan Baltimore intrastate region and for photochemical oxidants and carbon monoxide in the Maryland portion of the National Capital interstate region.

In accordance with *NRDC v. EPA*, this extension was rescinded, and Maryland was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

Although neither the May 31, 1972, nor the March 20, 1973, amendments to 40 CFR, part 52 require the submission of a strategy for the attainment and maintenance of national standards for photo-

chemical oxidants (hydrocarbons) in the Metropolitan Baltimore intrastate region, more recent data indicate a serious hydrocarbon problem there. Because more recent data from fully calibrated instrumentation indicated excessive concentrations of photochemical oxidants in the Metropolitan Baltimore intrastate region, the State of Maryland prepared and submitted proposed strategies for both pollutants in both the Metropolitan Baltimore intrastate region and the National Capital interstate region.

The State of Maryland held public hearings on the proposed plans on March 5, 1973, for the National Capital interstate region, and on February 28, 1973, and April 4, 1973, for the Metropolitan Baltimore intrastate region. All sessions were attended by representatives of industry, government, and environmental citizens' groups, and by private citizens. In each case, environmental groups advocated decreased highway construction, all groups supported improved mass transit, and industry representatives objected to bans on heavy-duty truck deliveries and to retrofit of vapor recovery devices.

The Governor of Maryland submitted a plan for the State of Maryland on April 16, 1973, and requested a 2-year extension based on the unavailability of rapid transit, vehicle use control, inspection maintenance system, heavy-duty vehicle retrofit, and service station operation elements. Upon receipt of the plan, EPA published notice of its arrival in the FEDERAL REGISTER, 38 FR 10120 (April 24, 1973), and invited comments. Comments were received from industry, public environmental organizations, chambers of commerce, governmental organizations, and private individuals. Principal comments from these sources reflected the lack of a specific VMT control program, the unavailability of lead-free gasoline, and the economic impracticability of banning new stationary sources. Receipt of the written comments has been acknowledged by letters from the Regional Administrator to the commenting sources.

The comments submitted by the Natural Resources Defense Council deserve special mention. These comments asserted that the reductions claimed for the inspection and maintenance portions of the plan were inadequately supported by data, and that both the stationary source and the inspection and maintenance programs were not described in the required detail. In addition, the failure to include any VMT reduction measures was criticized.

EPA is in agreement with basically all of these comments, and has disapproved portions of the Maryland plan accordingly. These deficiencies also require that Maryland's request for a 2-year extension be denied at this point.

The plan submitted primarily covered the transportation control program in the Metropolitan Baltimore intrastate region. Very limited information was provided for the National Capital interstate region. Thus, evaluation of the latter region is subject to considerable

updating when supplementary information is provided by Maryland. It is EPA's understanding that such an update is currently in preparation. Although no assumptions are made concerning future contents of an updated plan, a number of statewide items, such as a motor vehicle inspection program, could apply equally to both of the regions. Consequently, it is deemed reasonable that this evaluation will reflect those items in the current Metropolitan Baltimore plan that would apply to a National Capital plan had it been prepared in a more rigorous manner and in the proper format.

Although the plan submitted contained a broad spectrum of proposed strategies, they were very general and provided little assurance that they are feasible and capable of implementation. In his transmitted correspondence, the Governor of Maryland states his difficulty in proposing a catalytic converter retrofit program. The supplemental information provided with the plan presents reductions attributable to such a program. This has compounded the Administrator's problem in determining which emission reduction credits may legitimately be claimed. Further compounding the problem of a sound plan evaluation is the totally inadequate consideration given to various social and economic aspects of proposed strategies.

Because the court order requires the Administrator to approve or disapprove State plans within 2 months after the date required for submission of a plan, the Administrator is approving those portions of the Maryland plan that satisfy the requirements of 40 CFR, part 51, and is disapproving those parts of the plan that are deficient. A proposed EPA plan that remedies these deficiencies will be published soon for comment and will be promulgated on August 15, 1973, as required by the Clean Air Act.

It is expected that the Governor of Maryland will submit additional elements of the proposed plan in the near future. When they are received, EPA will acknowledge, in the FEDERAL REGISTER, receipt of the additions and will provide an opportunity for the public to comment on these additions. After considering the additions submitted by the State of Maryland and all comments, EPA will revise this initial action as appropriate to approve all portions of any plan submitted by Maryland that are approvable and to propose Federal regulations for the remainder.

MASSACHUSETTS

The State of Massachusetts was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment and maintenance of the photochemical oxidant (hydrocarbon) and carbon monoxide standards in the Metropolitan Boston intrastate region and the standards for carbon monoxide in the Massachusetts portion of the Hartford-New Haven-Springfield interstate region.

In accordance with *NRDC v. EPA*, this extension was rescinded and Massachusetts was directed to submit a transpor-

tation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

As a result of Massachusetts' unresponsiveness to the Administrator's order of March 20, 1973 (38 FR 7323), the Administrator must at this time indicate that deficiency and list the resultant exception to the approvability of the Massachusetts plans for the Metropolitan Boston intrastate region and the Hartford-New Haven-Springfield interstate region.

MINNESOTA

The State of Minnesota was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the carbon monoxide standards in the Minneapolis-St. Paul intrastate region.

In accordance with *NRDC v. EPA*, this extension was rescinded and Minnesota was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The State of Minnesota held a preliminary hearing on the proposed plan on January 16, 1973, and subsequent formal public hearings were held on February 20, 1973, and May 3, 1973. The plan, however, has not yet been submitted to the Administrator. Since the Administrator, because of the court order, must approve or disapprove State plans within 2 months after the required submission date, the Administrator is today disapproving those portions of the Minnesota implementation plan that were required to be submitted pursuant to paragraph 3 of the court order. This disapproval is based solely upon the lack of timely submittal of the plan and an expected late submittal. A proposed EPA plan will be published soon for comment.

The Governor of Minnesota is expected to submit their plan in the near future. When it is received, the Environmental Protection Agency will acknowledge, in the FEDERAL REGISTER, receipt of the plan and will provide an opportunity for the public to comment on that plan. All comments submitted by the public on both the EPA proposal and the anticipated Minnesota State plan will be considered. After considering the plan submitted by the State of Minnesota and all comments, the Environmental Protection Agency will take such final action as appropriate to approve all portions of any plan submitted by Minnesota that are approvable and promulgate Federal regulations for the remainder.

MISSOURI

The State of Missouri was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the carbon monoxide standards in the Missouri portion of the Metropolitan Kansas City interstate region.

In accordance with *NRDC v. EPA*, this extension was rescinded, and Missouri was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and main-

tenance of the standards as noted above by May 31, 1975.

On May 21, 1973, the State of Missouri submitted a nonregulatory plan revision that utilized a lower air quality base value for computing the required degree of control to meet the air quality standards by May 31, 1975. The State indicated that the Federal motor vehicle control program plus stationary source control of carbon monoxide would be sufficient to provide the required emission reductions and would thus obviate the need for a transportation and/or land use control strategy. Because of the late submission of the plan revision, the Administrator has not had adequate time to evaluate public comments on the approvability of such revisions. Hence, as required by the January 31, 1973, court order, the Administrator is today disapproving those portions of the Missouri implementation plan that were to be addressed.

After the period for opportunity for public comment on the plan closes, all comments submitted by the public will be considered in the plan review. The Environmental Protection Agency will then revise this disapproval notice as is deemed appropriate.

NEW JERSEY

On May 31, 1972 (37 FR 10842), the Administrator approved New Jersey's implementation plan for attaining the national ambient air quality standards for carbon monoxide and photochemical oxidants (hydrocarbons). He also granted the 2-year extension requested by the Governor, pursuant to section 110(e) of the Act, for the attainment of the photochemical oxidant (hydrocarbon) and carbon monoxide standards Jersey-New York-Connecticut interstate region and the New Jersey portion of the Region and the New Jersey portion of the Metropolitan Philadelphia interstate region. The basis of New Jersey's 2-year extension was that the Federal motor vehicle control program and the New Jersey motor vehicle inspection program could provide for the attainment of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) by May 31, 1977, without the imposition of additional transportation control measures that would be difficult to implement. These additional measures would have to be implemented to provide for attainment of the standards by May 31, 1975.

On March 20, 1973 (38 FR 7323), the Administrator, in effect, disapproved the transportation control plan previously submitted by New Jersey on January 26, 1972. Because of the stringent timetable imposed by the court decision, the State of New Jersey was unable to submit a transportation control plan for achieving the national ambient air quality standards for photochemical oxidants and carbon monoxide in both the Metropolitan Philadelphia interstate region and the New Jersey-New York-Connecticut interstate region. However, in an effort to show good faith, the Commissioner of the New Jersey Department of Environmental Protection, acting in behalf of the

Governor, sent a letter to the Regional Administrator expressing his intent to develop a plan as soon as possible and identifying seven alternative strategies that the State would consider. The most comprehensive strategy presented included the following:

1. Compliance with the Federal motor vehicle control program for new vehicles by 1976,
2. Compliance with the more restrictive inspection/maintenance standards that are expected to reject approximately 45 percent of New Jersey vehicles,
3. Control of stationary sources, and
4. Reduction of vehicle miles traveled during critical seasons of the year by rationing of gasoline to the extent required to achieve a 69 percent reduction in hydrocarbon emissions.

NOTE.—This strategy could be employed singly, or in combination with any of the above strategies.

Because the court order requires the Administrator to approve or disapprove State plans within 2 months after the date required for submission of a plan, the Administrator is disapproving those portions of the New Jersey plan that were required to be submitted pursuant to paragraph 3 of the court order. This disapproval is solely based upon the lack of timely submittal of the required plan. Should the State of New Jersey submit its required plan, the Environmental Protection Agency will acknowledge formal receipt of the plan through the FEDERAL REGISTER and will provide an opportunity for the public to comment on the State plan. All comments submitted will be considered in the plan review. The Environmental Protection Agency will then revise this disapproval notice as is deemed appropriate.

NEW YORK

The State of New York was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the photochemical oxidant (hydrocarbon) and carbon monoxide standards in the New York portion of the New Jersey-New York-Connecticut interstate region, for the carbon monoxide standards in the Central New York intrastate region, and for the photochemical oxidant (hydrocarbon) standard in the Genesee-Finger Lakes intrastate region.

In accordance with *NRDC v. EPA*, this extension was rescinded, and New York was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The State of New York held public hearings on its proposed plan for their portion of the New Jersey-New York-Connecticut interstate region on April 9, 1973, and for the Genesee-Finger Lakes intrastate region on April 5, 1973. A hearing was held for the Central New York intrastate region on April 4, 1973.

Pursuant to the March 20, 1973, FEDERAL REGISTER (38 FR 7323), the State of New York submitted the transportation control strategies for its portion of the

New Jersey-New York-Connecticut interstate region on April 17, 1973, and for the Genesee-Finger Lakes intrastate region on April 30, 1973. The nonregulatory revision to the Central New York intrastate region was also submitted on April 30, 1973.

The Administrator has reviewed the control strategies submitted by the State of New York for the above-mentioned regions and has found them to be adequate for attainment and maintenance of the national standards. A summary of the review upon which this determination was made is available at the Public Affairs Office, Environmental Protection Agency, Region II, 26 Federal Plaza, New York, N.Y. 10007, and at the Environmental Protection Agency, Freedom of Information Center, room 329, 401 M Street SW., Washington, D.C. 20460.

The State of New York's Department of Environmental Conservation, as mentioned previously, held a hearing on April 9, 1973, on the State's proposed transportation controls for the attainment and maintenance of the national standards on carbon monoxide and photochemical oxidants (hydrocarbons). A total of 61 people presented oral testimony at the hearing. A number of additional written statements were submitted at the office of the New York State Department of Environmental Conservation by May 10, 1973. Among those who testified in person were two representatives of County Health agencies, 10 State and local government officials or their representatives, spokesmen for 15 environmental groups, and 10 spokesmen for various industries. The remainder represented a cross-section of transportation and planning groups and private citizens.

A review of the transcript of the hearing indicates that the majority of those who testified gave strong support to the traffic control measures and emphasized the need to implement the strategies providing for improvements in mass transit. On the other hand, a majority of those who discussed specific strategies were strongly opposed to the light-duty vehicle retrofit measures. These included the representatives of the Nassau County Health Department, the Suffolk County Department of Environmental Conservation, the Automobile Club of New York, representatives of the petroleum industry, and a number of environmental groups.

Strategies requiring the imposition of tolls on all East River and Harlem River bridges and the after-hour delivery to offices and stores (originally presented as maintenance strategies) attracted little comment. Firm opposition to the imposition of tolls on the bridges was voiced by three of five government officials who specifically addressed the issue. Several speakers expressed their serious concern as to whether the plan could or would be implemented because it did not adequately address the issues of institutional and economic hindrances to its implementation and enforcement.

A detailed analysis of the hearing record further substantiated the opinion

that pervaded the hearing chamber—that the overwhelming majority of those who testified believed that many of the strategies proposed by the State were in the best interests of New York City and should be implemented whether they would provide any significant reductions in ambient concentrations.

The New York Department of Environmental Conservation coordinated a public hearing on the proposed transportation control strategies for the Genesee-Finger Lakes intrastate region on April 5, 1973. A review of the transcript indicates that only three people presented testimony that had a direct bearing on the proposed plan. Each of these criticized the measure that requires retrofit on pre-1968 motor vehicles. Specific alternatives were offered. Some of these were the establishment of a standard inspection system and improvement of mass transit.

Upon receipt of the plan, EPA published notice of its arrival in the FEDERAL REGISTER (38 FR 10465), April 27, 1973, and invited comments. All comments received related to the New York City area. Comments were received from oil companies, environmental groups, private citizens, and the Automobile Club of New York. The oil companies objected to any requirement for catalytic retrofits, as did the Automobile Club of New York. Other comments called for more VMT reduction, criticized the lack of controls over developments like Battery Park City and the Convention Center, and asked for greater commitment of resources to the clean air effort.

The comments submitted by the Natural Resources Defense Council deserve special mention.

These addressed exclusively the plan for the New York City area, and found three major deficiencies in the measures to be implemented to achieve the standards by 1975, namely a lack of provisions for cooperation with New Jersey, a failure to provide for enough VMT reduction, and vagueness in the regulatory proposals.

As the latter indicates, however, the lack of intergovernmental cooperation stems from a failure on New Jersey's part, not New York's. It is therefore inappropriately addressed under a New York heading.

Contrary to the statement on page 3 of the letter that New York has only adopted a single VMT reduction measure—parking restrictions—New York will also implement a system of bus-only commuter lanes, a ban on taxi cruising, a ban on mid-day truck deliveries, and raising tolls on certain bridges. In addition, the reduction in parking spaces to which NRDC alludes, is to be on the order of 30 to 50 percent.

There can be no question but that New York plan provides for substantial VMT reduction. Given this, EPA has concluded that New York was justified in concluding that even more would not be available by 1975. The Clean Air Act contemplates that States will be the initial judges of what measures to use to

improve air quality. If significant measures that result in substantial VMT reductions are provided, then EPA will not interfere with the measures the State has chosen.

Included with the implementation plan revision submitted by New York was a request by the Governor for a 2-year extension for attainment of the national ambient air quality standard for photochemical oxidants in the New York City area, and 18-month extensions for the achievement of the national ambient air quality standards for carbon monoxide in the New York City area, and for achievement of the national ambient air quality standard for photochemical oxidants in the Genesee-Finger Lakes region.

This extension request was based on the assumption that the retrofitting of passenger vehicles with catalytic emission control devices was not technologically feasible. The Governor also questioned the reliability of the devices, the capability to produce and install the needed devices within the needed time frame, and the petroleum industry's capacity to produce the needed quantity of lead-free gasoline.

Analysis of the strategies including the Federal motor vehicle control program, a statewide emission inspection and maintenance program, and stationary source controls shows that these will provide sufficient reductions in hydrocarbon emissions to ensure the attainment of the national standard for photochemical oxidants in the Genesee-Finger Lakes region by 1975. Thus, the Governor's request for an extension until the end of 1976 in the attainment date to achieve the national standard for photochemical oxidants in the Genesee-Finger Lakes region, is disapproved.

Nineteen-month extensions were granted for attainment of the national standards for carbon monoxide and photochemical oxidants in the New York City area.

OHIO

The State of Ohio was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the photochemical oxidant (hydrocarbon) standards in the Metropolitan Dayton intrastate region, the Metropolitan Cincinnati interstate region, and the Metropolitan Toledo interstate region.

In accordance with *NRDC v. EPA*, this extension was rescinded, and Ohio was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The State of Ohio held public hearings on the proposed plan for the Metropolitan Dayton intrastate region on May 17, 1973, and for the Metropolitan Cincinnati interstate and Metropolitan Toledo interstate regions on May 29 and 30, 1973, respectively. These plans, however, have not yet been submitted to the Administrator.

Because the court order requires the Administrator to approve or disapprove

State plans within 2 months after the date required for submission of a plan, the Administrator is disapproving those portions of the Ohio plan that were required to be submitted pursuant to paragraph 3 of the court order. This disapproval is solely based upon the lack of timely submittal of the required plan and is not meant to have any reflection upon the content of any submitted revisions. A proposed EPA plan will soon be published for comment.

The Governor of Ohio is expected to submit the revised plan in the near future. When it is received, the Environmental Protection Agency will acknowledge, in the *FEDERAL REGISTER*, receipt of the plan and will provide an opportunity for the public to comment on this plan. All comments submitted by the public on both the EPA proposal and the anticipated Ohio State plan will be considered. After considering the plan submitted by the State of Ohio and all comments, the Environmental Protection Agency will take such final action as appropriate to approve all portions of any plan submitted by Ohio that are approvable and promulgate Federal regulations for the remainder.

OREGON

On October 26, 1972, the State of Oregon submitted to EPA a transportation control strategy to attain the national standards for carbon monoxide and photochemical oxidants by May 31, 1975, in the Oregon portion of the Portland interstate region. On December 20, 1972, the State was notified by EPA of certain deficiencies to be corrected in the submitted plan before it could be approved by EPA.

In accordance with *NRDC v. EPA*, Oregon was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment of the photochemical oxidant (hydrocarbon) and carbon monoxide standards in the Oregon portion of the Portland interstate region.

On April 13, 1973, the State of Oregon transmitted to EPA a transportation control strategy for the Oregon portion of the Portland interstate region. On April 27, 1973, EPA announced receipt of the strategy submitted by the State of Oregon and solicited public comments (38 FR 10466). The comments received in response to the announcement, as well as comments made at the public hearings held by the State of Oregon on March 2 and May 29, 1973, were considered by EPA in evaluating the transportation control strategy adopted by Oregon.

The subject of the March 2 hearing was a proposed regulation designating the four counties where a motor vehicle emission inspection program will be implemented. In the testimony presented at the hearing the only major point of disagreement with the proposed regulation was the geographic scope proposed for the inspection program. Suggestions were made to expand the scope of the inspection program to encompass the

entire State or the whole Willamette Valley.

No member of the public appeared to present testimony at the State hearing held on May 29, 1973, to consider adoption of the transportation control strategy for the Portland interstate region. EPA has requested copies of the testimony presented at earlier hearings on the transportation control strategy, held by the State on October 25, 1973, and by the Portland City Council on October 12, 1972. A number of citizen groups and public agencies did participate in the development of the transportation control strategy and did present testimony at the earlier hearings.

Comments were received from the Natural Resources Defense Council and from two oil companies in response to the *FEDERAL REGISTER* notice. NRDC criticized as excessive the reductions claimed from the proposed inspection and maintenance system and the replacement of new cars by old. It also called for abandonment of the proposal to replace all eliminated onstreet parking with new offstreet facilities. The oil companies objected to any requirement for catalytic retrofits among other points.

Based on his review of the transportation control plan submitted by the State of Oregon for the Oregon portion of the Portland interstate region and the comments submitted in response to the announcement in 38 FR 10466, the Administrator has found the Oregon submission to be adequate, with certain exceptions, for attainment of national ambient air quality standards. The basis for this determination is contained in an evaluation report available to the public at the library of the Environmental Protection Agency, region X, 1200 Sixth Avenue, Seattle, Wash. 98101, and at the Environmental Protection Agency, Office of Public Affairs, 401 M Street SW., Washington, D.C. 20460.

PENNSYLVANIA

The State of Pennsylvania was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the photochemical oxidant (hydrocarbon) and carbon monoxide standards in the southwest Pennsylvania intrastate region and for the carbon monoxide standards in the Pennsylvania portion of the Metropolitan Philadelphia interstate region.

In accordance with *NRDC v. EPA*, this extension was rescinded, and Pennsylvania was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The State of Pennsylvania held public hearings on the Pennsylvania portion of the Metropolitan Philadelphia interstate region and on the southwest Pennsylvania intrastate region on April 5 and 6, 1973, respectively. Attendees at both hearings included representatives of commerce, business, government, and citizen environmental groups, as well as private citizens.

Participants in the Philadelphia hearings voiced strong support for improved mass transit with fringe parking and unified fares; a majority favored the 2-year extension, and several speakers recommended a horsepower surtax and use of highway trust funds for mass transit. The Pittsburgh hearing included numerous presentations by the business community, as well as by government agencies, in which were voiced strong support for mass transit improvements, general support for a statewide inspection system, and substantial opposition to vehicle restraints.

The Governor of Pennsylvania submitted the plan for the State of Pennsylvania on April 13, 1973, and requested a 2-year extension (pollutants not stated) based on public opposition to direct restraints and the unavailability of adequate funding for transit expansion. The plan for the Metropolitan Philadelphia interstate region is based on the assumption that carbon monoxide concentrations in the central business district are 50 percent higher than at the continuous air monitoring project (CAMP) station whose readings provided the approved air quality data base presented in the basic implementation plan submitted on January 27, 1972.

Upon receipt of the plan, EPA published notice of its arrival in the *FEDERAL REGISTER*, 38 FR 10120 (Apr. 24, 1973), and invited comments. Comments were received from industry, public environmental organizations, chambers of commerce, governmental organizations, and private individuals; comments by governmental and environmental organizations emphasized the inadequacy of the plan, and the business community expressed concern over the proposed vehicle restraints.

The comments submitted by the Natural Resources Defense Council deserve special mention. They claimed that, although several promising strategies had been put forth by the State, the plan failed both to state unequivocally that those strategies would be adopted and to support them with the required timetables, designation of enforcement authorities, and draft regulations. The lack of VMT reduction measures was particularly criticized.

Based on his review of the plan, the Administrator has concluded that the proposed adoption of a diagnostic inspection and maintenance system cannot be justified when more effective systems are available to meet the standards. In addition, some of the VMT restraint measures have not been spelled out in the required detail. Finally, the extension request cannot be granted until it is shown that the most effective inspection and maintenance system reasonably available and the most extensive VMT reduction measures reasonably available will be implemented as soon as practicable.

Although Pennsylvania's transportation control plan purports to provide sufficient control measures for achieving the required reductions in carbon monoxide emissions, detailed quantification is lacking, and the proposed improve-

ments, as described in various sections of the plan, are frequently contradictory. Moreover, no consideration whatever is given to hydrocarbon emissions in Pittsburgh, which must be reduced substantially if the primary standard is to be achieved by 1975. In addition, the baseline air quality concentration for Philadelphia differs from the approved lower figure presented in the original implementation plan, and is not substantiated by valid test data. On the basis of information presently available to the Administrator, the Philadelphia air quality concentrations of carbon monoxide are consistent with national averages when viewed from the aspect of traffic density levels. In the event that continued monitoring indicates that a higher (worse) air quality baseline exist in Philadelphia, appropriate revisions of the plan will be required. Although supporting computations for a higher air quality baseline were presented in the earlier (Dec. 20, 1972) version of the plan, no such data are included in the final plan as submitted.

Because the court order requires the Administrator to approve or disapprove State plans within 2 months after the date required for submission of a plan, the Administrator is approving those portions of the Pennsylvania plan that satisfy the requirements of 40 CFR, pt. 51, and is disapproving those parts of the plan that are deficient. A proposed EPA plan that remedies these deficiencies will be published soon for comment and will be promulgated on August 15, 1973, as required by the Clean Air Act.

TEXAS

The State of Texas was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the photochemical oxidant (hydrocarbon) standards in the Corpus Christi-Victoria and Metropolitan Houston-Galveston intrastate region.

In accordance with *NRDC v. EPA*, the extension was rescinded, and Texas was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975. In addition, Texas was directed to submit a transportation strategy for photochemical oxidants (hydrocarbons) in the Austin-Waco intrastate region, the Dallas-Fort Worth intrastate region, the San Antonio intrastate region, and the El Paso-Las Cruces-Alamogordo interstate region.

Prior to adoption of a plan, the State must make principal portions of the plan, including revisions, available to the public, and must provide for a public hearing to receive testimony regarding the proposed plan. The State of Texas held hearings on April 4, 1973, in Dallas, Houston, and San Antonio, Tex. However, the principal portions or revisions in the control strategy were not made available for public inspection and public comment prior to the hearings. Testimony given at the hearings, as well as written inquiries to the Administrator, substantiate this deficiency.

Therefore, it is the opinion of the Administrator that the plan revision submitted by the State of Texas for control of hydrocarbon emissions cannot be considered as having met the minimum requirements of § 51.4.

It has been determined after review that the material submitted by Texas, even if it had been validly adopted, would not adequately insure, except in the Corpus Christi-Victoria intrastate region, that the plan meets the requirements of § 51.4. A summary of this review is contained in "Proposed Control Strategy to Meet Ambient Air Quality Standards for Photochemical Oxidants in Texas," which is available both at the Freedom of Information Center, EPA, room 329, 401 M Street SW., Washington, D.C. 20460, and at the Office of Public Affairs, EPA Region VI, 1600 Patterson Street, Suite 1100, Dallas, Tex. 75201.

The State's control strategy for reducing hydrocarbon emissions in the Corpus Christi-Victoria intrastate region was found to be adequate for attainment of the national standard for photochemical oxidants by May 31, 1975. However, since the State failed to hold adequate public hearings, the Administrator must propose a plan for the region. Upon completion of adequate public hearings by Texas, this notice will be revised accordingly.

Included with the implementation plan revision submitted by Texas was a request by the Governor of Texas for an extension until 1977 for the attainment of the primary standard for photochemical oxidants in all air quality control regions in the State. The Administrator does not consider the justification adequate for granting such extensions.

UTAH

The State of Utah was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the standards for carbon monoxide in the Wasatch Front intrastate region.

In accordance with *NRDC v. EPA*, this extension was rescinded, and Utah was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The State of Utah held a public hearing on March 26, 1973, at which time the revised transportation and land-use control plan was presented to the participants.

The State of Utah submitted the plan to EPA on April 16, 1973. Upon receipt of the plan, EPA published notice of its arrival in the *FEDERAL REGISTER*, 38 FR 10120 (Apr. 24, 1973), and invited comments.

One comment was received from the Natural Resources Defense Council. It stated that the State had not shown how the strategies proposed would achieve the reductions claimed for them; that they were not supported by the required legal authority, draft regulations, or timetables for implementation; and that the State had failed to adopt any VMT reduction measures, even though

the standards would not be achieved without them.

The Administrator has reviewed the control strategies submitted and finds them adequate with the exceptions noted below in the applicable regulations. An evaluation report that provides the rationale for the above determination is available for public inspection at the Office of Public Affairs, Environmental Protection Agency, Region VIII, Lincoln Street, Denver, Colo., and at the Office of Public Affairs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

A request for an extension of time for the attainment of the carbon monoxide standard is disapproved at this time because of a lack of sufficient supporting information.

VIRGINIA

Although neither the court order nor the March 20, 1973, amendments to 40 CFR part 52 applies directly to Virginia, their application to Maryland impacts on the National Capital interstate region, thus requiring coordinated action by Virginia and the District of Columbia as well as Maryland. The Virginia plan was coordinated with Maryland and the District of Columbia, and comprises the 1975 attainment plan of the National Capital Interstate Air Quality Planning Committee forwarded to the two Governors and the Mayor-Commissioner on January 31, 1973. The emission inventory and planned reductions are on an interstate regional basis, and have not been factored for Virginia's portion of the region.

The State of Virginia held public hearings on the proposed plan for Virginia's portion of the National Capital interstate region. Comments by representatives from government, industry, and citizen groups indicated overwhelming support for improved mass transit, some determined resistance to any controls that could conceivably destroy the auto-dominant life style, and substantial objections to catalytic retrofit, gasoline rationing, and retrofit of vapor recovery devices.

The Governor of Virginia submitted a plan for the State of Virginia on April 11, 1973. The plan is based on the recommendations of the National Capital Interstate Air Quality Planning Committee, and includes a broad spectrum of control measures for both stationary and mobile sources. The Governor requested a 2-year extension based on the unavailability of either catalytic converters or gasoline service station vapor recovery systems for dispensing-pump nozzles by May 31, 1975.

Upon receipt of the plan, EPA published notice of its arrival in the FEDERAL REGISTER, 38 FR 10119 (Apr. 24, 1973), and invited public comment. Comments were received from industry, public environmental organizations, chambers of commerce, governmental agencies, and private individuals. Environmental organizations objected to the request for a 2-year extension, industry emphasized the impossibility of installing vapor re-

covery devices on underground gasoline tanks before 1980, and commercial representatives voiced strong objections to the prohibition of heavy-duty gasoline truck deliveries from 6 a.m. to 6 p.m.

The comments submitted by the Natural Resources Defense Council deserve special mention. They objected to the lack of detailed regulations, to the failure to specify whether an idle test or a loaded test would be selected for the inspection and maintenance program, and to the lack of VMT reduction measures. They suggested that bus supply was not nearly the obstacle to expansion of mass transit facilities by 1975 that Virginia had claimed.

Upon review of the plan, the Administrator has determined that detailed description of and sufficient timetable for implementing VMT reductions and the inspection and maintenance program has not been provided. The proposed parking restrictions also suffer from this deficiency. For these reasons, and because it appears that additional VMT reduction measures may be reasonably available, no extension can be granted at this time.

Consequently, the catalytic retrofit control measure proposed by Virginia cannot be approved because it will not be available to the State in time to contribute to attainment of the standards by mid-1975.

Because the court order requires the Administrator to approve or disapprove State plans within 2 months after the date required for submission of a plan, the Administrator is approving those portions of the Virginia plan that satisfy the requirements of 40 CFR part 51, and is disapproving those parts of the plan that are deficient. A proposed EPA plan that remedies these deficiencies will soon be published for comment, and will be promulgated on August 15, 1973, as required by the Clean Air Act.

WASHINGTON

The State of Washington was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of carbon monoxide standards in the Puget Sound intrastate region and the Washington portion of the Eastern Washington-Northern Idaho Interstate Region, and for photochemical oxidant (hydrocarbon) standards in the Puget Sound Intrastate Region.

In accordance with *NRDC v. EPA*, this extension was rescinded, and Washington was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The State of Washington held public hearings on April 11 and 12, 1973, on the proposed plan. The testimony presented at the hearings indicated general agreement with the traffic signal optimization and improved public transportation measures. Opinions on the exclusion of heavy-duty vehicles and the inspection and maintenance of light-duty vehicles varied.

Many individuals expressed concern that the exclusion of heavy-duty vehicles from the central business district would create hardships and economic losses. Most of those commenting at the hearings voiced reservations about the effectiveness, feasibility of implementation, and enforceability of intermittent exclusion of light- and heavy-duty vehicles. The generally held opinion appeared to be that intermittent exclusion, if adopted by the State, should be implemented only as an interim or contingency measure; i.e., all other possible measures should be explored and implemented first. Other comments about intermittent exclusion were that exclusion of light- and heavy-duty vehicles during peak traffic periods may be less detrimental to the viability of the central business district than the proposed exclusion during non-peak periods; that the number of days requiring exclusion may exceed State estimates; and that exclusion may decrease property values and create tax burdens.

Comments made at the hearings on the inspection and maintenance measure dealt with the need for cost control for retrofit installation, the desirability of random rather than mandatory inspections, and the insufficiency of the evidence of retrofit success. Continuous measures such as inspection and maintenance programs appear more acceptable to citizens than intermittent measures.

At the hearings, several persons also indicated that the complete State transportation control plan was not available long enough before the hearing for adequate review. Another frequently expressed concern was that socioeconomic studies and ambient air quality measurements upon which the plan was based were limited.

Upon receipt of the Washington plan, EPA published notice of its arrival in the FEDERAL REGISTER, 38 FR 10465 (Apr. 27, 1973), and invited comments. The comments received in response to the announcement, as well as comments made at the public hearings held by the State of Washington on April 11 and 12, 1973, were considered by EPA in evaluating the transportation control strategies adopted by Washington. The Natural Resources Defense Council objected to the proposed use of episodic controls to achieve the CO standard, arguing that they are unreliable; argued that oxidant control measures are needed as well; and called for steps to reduce VMT. The only other comments received were from two oil companies who questioned the availability of catalytic retrofits, among other points.

Based on his review of the material submitted, the Administrator has determined that the intermittent control strategy has not been shown to be an effective means of achieving air quality standards. In addition, other portions of the plan lack the required detail. In the submitted materials, the State indicated that the measurements of oxidant concentrations, upon which the original EPA requirement for a transportation

control strategy for the Pudget Sound intrastate region was based, are invalid and that no reductions in hydrocarbon emission beyond those achievable through the increasingly stringent Fed-bon emissions beyond those achievable vehicles will be required to attain the oxidant standard by 1975. EPA has requested further substantiation of this claim and a demonstration that no further reduction in hydrocarbon emissions is required.

Based on his review of the transportation strategy submitted by the State of Washington for the Puget Sound intrastate region and the Washington portion of the eastern Washington-northern Idaho interstate region; of the transcripts from the State hearings held on April 11 and 12, 1973; and of the comments received in response to the announcement in 38 FR 10464, the Administrator has found the Washington submission to be adequate, with certain exceptions, for the attainment of the standards in both the Puget Sound intrastate region and the Washington portion of the eastern Washington-northern Idaho interstate region. The basis for this determination is available to the public in report form at the library of the Environmental Protection Agency, region X, 1200 Sixth Avenue, Seattle, Wash. 98101, and at the Environmental Protection Agency, Office of Public Affairs, 401 M Street SW., Washington, D.C. 20460.

(42 U.S.C. 1857 c-5.)

Dated June 15, 1973.

ROBERT W. FRI,
Acting Administrator.

NOTE.—Pursuant to § 52.02(d), incorporation by reference of approved provisions of State plans was approved by the Director of the Federal Register on May 18, 1972.

Part 52 of Chapter I, Title 40, of the Code of Federal Regulations is amended as follows:

Subpart B—Alabama

1. Section 52.50 is amended by revising paragraph (c) to read as follows:

§ 52.50 Identification of plan.

* * * * *

(c) Supplemental information was submitted on:

(1) March 21, April 18, and April 28, 1972, by the Alabama Air Pollution Control Commission, and

(2) April 24, 1973.

§ 52.54 [Amended]

2. Section 52.54 is amended by revising the attainment date table as follows: The date "May 31, 1975, e" for attainment of the national standards for carbon monoxide in the Metropolitan Birmingham Intrastate Region and the national standard for photochemical oxidants (hydrocarbons) in the Metropolitan Birmingham Intrastate and the Mobile (Ala.)—Pensacola—Panama City (Fla.)—Southern Mississippi Interstate Regions, is replaced with the date "May 31, 1975".

§ 52.55 [Revoked]

3. Section 52.55 is revoked.

Subpart C—Alaska

4. Subpart C is amended by adding § 52.76 as follows:

§ 52.76 Control strategy: Carbon monoxide.

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for carbon monoxide in the Northern Alaska Intrastate Region by May 31, 1975.

Subpart D—Arizona

5. Section 52.120 is amended by revising paragraph (c) to read as follows:

§ 52.120 Identification of plan.

* * * * *

(c) Supplemental information was submitted on:

(1) March 1, March 2, and May 30, 1972, by the Arizona State Board of Health,

(2) April 11, 1973, and

(3) May 10, 1973.

6. Section 52.122 is amended by adding paragraph (c) as follows:

§ 52.122 Extensions.

* * * * *

(c) Arizona's request under § 55.30 for an 18-month extension for attainment of the national standard for photochemical oxidants (hydrocarbons) in the Phoenix-Tucson Intrastate Region is not applicable since the standard will be attained by May 31, 1975. Arizona's request for an 18-month extension for attainment of the national standards for carbon monoxide in the Phoenix-Tucson intrastate region cannot be granted at this time since it does not adequately satisfy the requirements of § 51.30.

7. Section 52.130 is amended by adding paragraph (b) as follows:

§ 52.130 Source surveillance.

* * * * *

(b) The requirements of § 51.19(d) of this chapter are not met because the plan does not provide procedures for obtaining and maintaining data on actual emission reductions achieved as a result of implementing transportation control measures.

8. Section 52.132 is amended by revising paragraph (a) (3) to read as follows:

§ 52.132 Transportation and land-use controls.

* * * * *

(3) No later than December 30, 1973, the necessary regulations and administrative policies needed to implement other transportation and/or land-use strategies, and emission controls on bulk tank farms and service station underground storage tanks.

9. Subpart D is amended by adding § 52.134 as follows:

§ 52.134 Control strategy: Carbon monoxide.

(a) The requirements of § 51.14 are not met because the plan does not provide for attainment and maintenance of the national standards for carbon monoxide in the Phoenix-Tucson intrastate regions by May 31, 1975.

(b) The requirements of § 51.14(a) (2) are not met because the plan does not provide a description of enforcement methods, and proposed rules and regulations pertaining to the selected transportation control measures.

(c) The requirements of § 51.14(b) are not met because the plan contains an air bleed, catalytic retrofit, and loaded inspection control measures which cannot be implemented in time to contribute to the attainment of the national standards for carbon monoxide by May 31, 1975. In addition, implementation of the heavy-duty vehicle retrofit and inspection control measures cannot be assured, even by mid-1977.

10. Subpart D is amended by adding § 52.135 as follows:

§ 52.135 Resources.

(a) The requirements of § 51.20 are not met because the transportation control plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out the plan during the 5-year period following submittal.

Subpart F—California

11. Subpart F is amended by adding § 52.240 as follows:

§ 52.240 Control strategy: photochemical oxidants (hydrocarbons) and carbon monoxide.

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for photochemical oxidants (hydrocarbons) and carbon monoxide in the San Francisco Bay Area, San Diego, Sacramento Valley, San Joaquin Valley, and Southeast Desert Intrastate Regions by May 31, 1975.

Subpart G—Colorado

12. Subpart G is amended by adding § 52.327 as follows:

§ 52.327 Control strategy: Photochemical oxidants (hydrocarbons) and carbon monoxide.

(a) Due to late submission of the plan revisions, the Administrator disapproves this portion of the plan because there was insufficient time to analyze and/or include public comment in the approval/disapproval decision and complete his evaluation by June 15, 1973.

Subpart J—District of Columbia

13. Section 52.470 is amended by revising paragraph (c) to read as follows:

§ 52.470 Identification of plan.

* * * * *

(c) Supplemental information was submitted on:

(1) Control strategies for sulfur oxides and particulate matter were defined by the District's "Implementation Plan for Controlling Sulfur Oxide and Particulate Air Pollutants" which was submitted on August 14, 1970.

(2) April 28, 1972, by the District of Columbia, and

(3) April 19, 1973.

14. Subpart J is amended by adding § 52.474 as follows:

§ 52.474 Legal authority.

(a) The requirements of § 51.11(c) of this chapter are not met because the plan does not contain copies of regulations allowing for improved regional transit that involves purchase of buses and establishment of appropriate routes and express bus lanes; inspection and retrofit of motor vehicles; and imposition of parking surcharges. The plan does not include regulations required for control of heavy-duty vehicle deliveries, reduction of evaporative losses from gas handling and dry cleaning, and imposition of contingency gas rationing measures.

15. Subpart J is amended by adding § 52.479 as follows:

§ 52.479 Source surveillance.

(a) The requirements of § 51.19(d) of this chapter are not met because the plan does not include adequate procedures for determining emission reductions achieved from any of the proposed transportation control measures.

16. Subpart J is amended by adding § 52.483 as follows:

§ 52.483 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14(a) (2) of this chapter are not met because the plan only identifies and does not describe enforcement methods and because the plan does not contain proposed rules and regulations for the selected transportation strategies.

(b) The requirements of § 51.14(c) of this chapter are not met because the plan neither demonstrates that proposed control strategies are adequate to attain and maintain national standards, nor does the plan state which contingency control measures specifically would be imposed, and, except for potential gas rationing, whether their predicted effect would be adequate to attain and maintain national standards. Reduction claims for retrofit vapor recovery, and aircraft taxiing controls are unduly optimistic. The inspection and maintenance portion of the plan does not explain how consistent failure criteria have been or will be established; nor does the plan include a program of enforcement to ensure against post-inspection adjustments or modifications. The plan does not explain who will be responsible for implementing the training program for mechanics and other personnel. Though the light-duty retrofit strategy is acceptable, it cannot be implemented by May 31, 1975, and thus is disapproved for attainment by May 31 1975.

17. Subpart J is amended by adding § 52.484 as follows:

§ 52.484 Resources.

The requirements of § 51.20 of this chapter are not met because the plan does not include a discussion of additional State resources that may be required, including projections for 5 years.

18. Subpart J is amended by adding § 52.485 as follows:

§ 52.485 Intergovernmental cooperation.

The requirements of § 51.21(b) (2) of this chapter are not met because the responsibilities of various agencies in carrying out proposed transportation control measures are not identified.

Subpart O—Illinois

19. Section 52.720 is amended by revising paragraph (c) to read as follows:

§ 52.720 Identification of plan.

(c) Supplemental information was submitted on:

(1) March 13 and April 18, 1972, by the Illinois Environmental Protection Agency,

(2) May 4, 1972, and

(3) April 27, 1973.

20. Subpart O is amended by adding § 52.729 as follows:

§ 52.729 Control strategy: Carbon monoxide.

(a) The requirements of § 51.14 of this chapter are not met because transportation and/or land-use control strategies and a demonstration that such strategies along with the Federal motor vehicle control program, will attain and maintain the national standards for carbon monoxide in the Illinois portion of the Metropolitan Chicago interstate region by May 31, 1975, have not been adopted for submission as required.

Subpart P—Indiana

21. Subpart P is amended by revising § 52.777 as follows:

§ 52.777 Control strategy: Photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for photochemical oxidants (hydrocarbons) in the Metropolitan Indianapolis Intra-state region by May 31, 1975.

22. Subpart P is amended by adding § 52.785 as follows:

§ 52.785 Control strategy: Carbon monoxide.

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for carbon monoxide in the Metropolitan Indianapolis intrastate region by May 31, 1975.

Subpart R—Kansas

23. Section 52.870 is amended by revising paragraph (c) to read as follows:

§ 52.870 Identification of plan.

* * * * *

(c) Supplemental information was submitted on:

(1) March 24, 1972, by the Kansas Department of Health, and

(2) May 29, 1973.

24. Subpart R is amended by adding § 52.881 as follows:

§ 52.881 Control strategy: Carbon monoxide.

(a) Due to late submission of the plan revisions, the Administrator disapproves this section of the plan because there was insufficient time to analyze and/or include public comment in the approval/disapproval decision and complete his evaluation by June 15, 1973.

Subpart T—Louisiana

25. Section 52.970 is amended by revising paragraph (c) to read as follows:

§ 52.970 Identification of plan.

* * * * *

(c) Supplemental information was submitted on:

(1) February 28 and May 8, 1972, by the Louisiana Air Control Commission, and

(2) March 30, 1973.

26. Section 52.973 is amended by revising paragraph (a) to read as follows:

§ 52.973 Control strategy: Photochemical oxidants (hydrocarbons).

(a) The revision to Louisiana's plan for attainment and maintenance of the national standards for photochemical oxidants (hydrocarbons) in the southern Louisiana-southeast Texas interstate region is disapproved because there was insufficient time to analyze and/or include public comment in the approval/disapproval decision by June 15, 1973.

§ 52.979 [Amended]

27. Section 52.979 is amended by revising the attainment date table as follows:

The date "May 31, 1975, c" for the attainment of the national standard for photochemical oxidants (hydrocarbons) in the southern Louisiana-southeast Texas interstate region is replaced with the date "May 31, 1975".

§ 52.982 [Revoked]

28. Section 52.982 is revoked.

Subpart V—Maryland

29. Section 52.1070 is amended by revising paragraph (c) to read as follows:

§ 52.1070 Identification of plans.

* * * * *

(c) Supplemental information was submitted on:

(1) February 25, March 3, March 7, April 4, April 28, and May 8, 1972, by the

Maryland Bureau of Air Quality Control, and

(2) April 16, 1973, and May 5, 1973.

30. Section 52.1079 is amended by revising paragraph (a)(1) to read as follows:

§ 52.1079 Transportation and land use controls.

(a) * * *

(1) No later than April 15, 1973, transportation and/or land use control strategies and a demonstration that said strategies, along with Maryland's presently adopted stationary source emission limitations for carbon monoxide and hydrocarbons and the Federal motor vehicle control program, will attain and maintain the national standards for carbon monoxide and photochemical oxidants in the Metropolitan Baltimore intrastate and the Maryland portion of the National Capital interstate regions by May 31, 1975. By such date (Apr. 15, 1973), the State also must submit a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation and/or land use control strategies by May 31, 1975.

31. Section 52.1074 is amended by adding paragraph (b) as follows:

§ 52.1074 Legal authority.

(b) The requirements of § 51.11(c) of this chapter are not met because the plan does not contain or show the availability of legal authority claimed to exist.

32. Subpart V is amended by adding § 52.1080 as follows:

§ 52.1080 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of §§ 51.14 (a) (1) and (b) of this chapter are not met because the strategies to control vehicle use are not defined well enough to insure that Maryland will achieve the required degree of emission reduction needed to attain and maintain the national standards for photochemical oxidants and carbon monoxide in the Maryland portion of the National Capital interstate region. Except for proposing an annual inspection program, the plan does not include failure criteria, corrective maintenance provisions, or postinspection enforcement procedures. No information on the availability of adequate supplies of lead-free gasoline is provided. The catalytic retrofit control measure cannot be implemented in time to contribute to attainment of the national standards by May 31, 1975. Furthermore, there is inadequate assurance that a heavy-duty retrofit program or a heavy-duty inspection program can be implemented within the 1975 or 1977 time frame.

(b) The requirements of § 51.14(a) (2) of this chapter are not met because the

plan does not specify enforcement methods or contain proposed rules and regulations, administrative procedures, or a schedule for achieving implementation milestones.

(c) The requirements of § 51.14(c) (1) of this chapter are not met because the transportation control strategies are not defined well enough to insure that buildup of pollutant concentrations will not occur.

(d) The requirements of § 51.14(d) of this chapter are not met for the Maryland portion of the National Capital interstate region because a summary of updated emission data was not provided.

(e) The requirements of § 51.14(g) of this chapter are not met for the Maryland portion of the National Capital interstate region because the plan does not include a 3-month summary of current air quality data together with appropriate justification for use of the data and an explanation of their compatibility with correspondingly current emissions data. The requirements of § 51.14(g) of this chapter are not met for the Metropolitan Baltimore intrastate region because the plan does not provide appropriate justification for the use of current air quality data by virtue of its not providing correspondingly current emissions data.

33. Section 52.1077 is amended by adding paragraph (b) as follows:

§ 52.1077 Source surveillance.

(b) The requirements of § 51.19(d) of this chapter are not met for the Metropolitan Baltimore intrastate region or the Maryland portion of the National Capital interstate region because the plan does not include procedures for determining emission reductions achieved from any of the proposed transportation control measures.

34. Subpart V is amended by adding § 52.1083 as follows:

§ 52.1083 Resources.

The requirements of § 51.20 of this chapter are not met for the Metropolitan Baltimore intrastate region or the Maryland portion of the National Capital interstate region because the plan does not include a discussion of the adequacy of existing State resources and does not say whether any additional State resources, including projections for 5 years, will be required to carry out any of the proposed transportation control measures.

35. Subpart V is amended by adding § 52.1084 as follows:

§ 52.1084 Intergovernmental cooperation.

The requirements of § 51.21(b) (2) of this chapter are not met for the Maryland portion of the National Capital interstate region because the responsibilities of other agencies in carrying out proposed transportation control measures are not identified.

36. Section 52.1072 is amended by adding paragraph (b) as follows:

§ 52.1072 Extensions.

* * * * *

(b) The requested 2-year extension for attainment of the national carbon monoxide and photochemical oxidant standards in the Metropolitan Baltimore intrastate and in the Maryland portion of the National Capital interstate regions cannot be granted because the proposed Maryland control strategies do not provide for attainment of these standards by May 31, 1975, or attainment of these standards as expeditiously as practicable, and do not provide for interim control measures.

Subpart W—Massachusetts

37. Subpart W is amended by adding § 52.1129 as follows:

§ 52.1129 Control strategy: Photochemical oxidants (hydrocarbons) and carbon monoxide.

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for photochemical oxidants (hydrocarbons) and carbon monoxide in the Metropolitan Boston intrastate region and for carbon monoxide in Massachusetts' portion of the Hartford-New Haven-Springfield interstate region by May 31, 1975.

Subpart Y—Minnesota

38. Subpart Y is amended by adding § 52.1228 as follows:

§ 52.1228 Control strategy: Carbon monoxide.

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for carbon monoxide in the Minneapolis-St. Paul intrastate region by May 31, 1975.

Subpart AA—Missouri

39. Section 52.1320 is amended by revising paragraph (c) to read as follows:

§ 52.1320 Identification of plan.

* * * * *

(c) Supplemental information was submitted on:

(1) February 28, March 27, May 2, May 11, July 12, and August 8, 1972, by the Missouri Air Conservation Commission, and

(2) May 11 and 21, 1973.

40. Subpart AA is amended by adding § 52.1334 as follows:

§ 52.1334 Control strategy: Carbon monoxide.

(a) Due to the late submission of the plan revisions, the Administrator disapproves this portion of the plan because there was insufficient time to analyze and/or include public comment in the approval/disapproval decision and complete his evaluation by June 15, 1973.

Subpart FF—New Jersey

41. Subpart FF is amended by adding § 52.1582 as follows:

§ 52.1582 Control strategy and regulations: Photochemical oxidants (hydrocarbons) and carbon monoxide, New Jersey portions of the New Jersey-New York-Connecticut and Metropolitan Philadelphia Interstate Regions.

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standard for photochemical oxidants (hydrocarbons) in the New Jersey portions of the New Jersey-New York-Connecticut interstate and Metropolitan Philadelphia interstate regions by May 31, 1975.

(b) The requirements of § 51.14 of this chapter are not met because the plan does not provide for the attainment and maintenance of the national standard for carbon monoxide in the New Jersey counties of Essex, Camden, and Mercer.

Subpart HH—New York

42. Section 52.1670 is amended by revising paragraph (c) to read as follows:

§ 52.1670 Identification of plans.

(c) Supplemental information was submitted on:

(1) February 9, 11, and 14 and March 10, 1972, and

(2) April 17, 19, and 30, May 2, 16, and 21 and June 11, 1973.

43. Section 52.1672 is amended by adding paragraph (c) as follows:

§ 52.1672 Extensions.

(c) The Administrator hereby extends until December 31, 1976, the attainment date for the:

(1) National standards for carbon monoxide in the New York portion of the New Jersey-New York-Connecticut interstate region.

(2) National standard for photochemical oxidants in the New York portion of the New Jersey-New York-Connecticut interstate region.

44. In § 52.1682 the table is revised to read as follows:

§ 52.1682 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information in New York's plan, except where noted.

Region	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Niagara Frontier Intrastate.....	(a)	(a)	(b)	(c)	(a)	(a)	(a)
Champlain Valley Interstate.....	(a)	(a)	(a)	(a)	(a)	(a)	(a)
Central New York Intrastate.....	(a)	(a)	(a)	(a)	(a)	May 1976	(a)
Genesee-Finger Lakes Intra- state.....	(a)	(a)	(a)	July 1977	(a)	(a)	May 1975
Hudson Valley Intrastate.....	(a)	(a)	(a)	July 1977	(a)	(a)	(a)
Southern Tier East Intrastate.....	(a)	(a)	(a)	July 1977	(a)	(a)	(a)
New Jersey-New York-Con- necticut Interstate.....	(b)	(a)	(a)	(a)	(a)	December 1976	December 1976

NOTE: Dates or footnotes that are in *italics* are proposed by the Administrator because the plan either did not provide a specific date or the date provided was not acceptable.
 * 3 years from plan approval or promulgation.
 * 5 years from plan approval or promulgation.
 * 18-month extension granted.
 † Air quality levels presently below primary standards.
 ‡ Air quality levels presently below secondary standards.

45. Section 52.1683 is revised to read as follows:

§ 52.1683 Transportation and land use controls.

(a) To complete the requirements of § 51.11 and § 51.14 of this chapter, the Governor of New York must submit to the Administrator: (1) No later than July 30, 1973, the legislative authority that is needed for carrying out the transportation and/or land use control strategies; (2) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement such strategies.

Subpart KK—Ohio

46. Subpart KK is amended by adding § 52.1877 as follows:

§ 52.1877 Control strategy: Photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14 of this chapter are not met because the plan

does not provide for attainment and maintenance of the national standards for photochemical oxidants (hydrocarbons) in the Metropolitan Cincinnati interstate, Metropolitan Dayton intrastate, and Metropolitan Toledo interstate regions by May 31, 1975.

Subpart MM—Oregon

47. Section 52.1970 is amended by revising paragraph (c) to read as follows:

§ 52.1970 Identification of plan.

(c) Supplemental information was submitted on May 3, 1972, October 26, 1972, and April 13, 1973.

48. Subpart is amended by adding § 52.1976 as follows:

§ 52.1976 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14(a) (2) of this chapter are not met because the

transportation control plan does not contain an adequate description of proposed enforcement methods, proposed rules and regulations, proposed administrative procedures to be used, and schedule of the dates by which significant steps in certain strategies will be achieved.

(b) The requirements of § 51.14(c) of this chapter are not met because the transportation control plan for the Oregon portion of the Portland interstate region does not assure attainment of the national standard for carbon monoxide and photochemical oxidants (hydrocarbons) by May 31, 1975. Although the measures included in the transportation control plan are generally acceptable to the Administrator, the emissions reductions forecast to result from programs for motor vehicle inspection and maintenance, traffic flow improvement, and increased transit usage are unrealistically high. There are no measures as required by § 51.14(c) of this chapter to prevent traffic flow improvements from leading to an increase in traffic, thereby negating the anticipated emission reduction.

49. Subpart MM is amended by adding § 52.1977 as follows:

§ 52.1977 Resources.

(a) The requirements of § 51.20 of this chapter are not met because the transportation control plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out the plan during the 5-year period following submittal.

50. Subpart MM is amended by adding § 52.1978 as follows:

§ 52.1978 Source surveillance.

(a) The requirements of § 51.19(d) of this chapter are not met because the transportation control plan does not contain provisions for determining what emission reductions are actually achieved by the inspection and maintenance strategy.

Subpart NN—Pennsylvania

51. Section 52.2020 is amended by revising paragraph (c) to read as follows:

§ 52.2020 Identification of plan.

(c) Supplemental information was submitted on:

- (1) March 17 and 27, and May 4, 1972, by the Bureau of Air Quality and Noise Control, Pennsylvania Department of Environmental Resources,
- (2) May 5, 1972, and
- (3) April 13, 1973.

52. Section 52.2030 is amended by adding paragraph (c) as follows:

§ 52.2030 Source surveillance.

(c) The requirements of § 51.19(c) of this chapter are not met because the plan does not provide procedures for obtaining and maintaining data on actual emission reductions achieved as a result of implementing transportation control measures.

53. Section 52.2031 is amended by adding paragraph (b) as follows:

§ 52.2031 Resources.

(b) The requirements of § 51.20 of this chapter are not met because the plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out the plan during the 5-year period following submittal.

54. Section 52.2032 is revised to read as follows.

§ 52.2032 Intergovernmental cooperation.

(a) The requirements of § 51.21(b) of this chapter are not met because the plan does not identify other State or local agencies or their responsibilities for implementing and carrying out designated portions of the plan.

(b) The requirements of § 51.21(c) of this chapter are not met because the plan does not indicate that Pennsylvania will transmit to the neighboring States of Maryland, New York, and West Virginia data about factors which may significantly affect air quality in those States.

55. Subpart NN is amended by adding § 52.2036 as follows:

§ 52.2036 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of §§ 51.14(b) and 51.14(c) of this chapter are not met because the strategies to restrain vehicle use are not defined and qualified well enough to insure that the necessary reductions in carbon monoxide and hydrocarbons will be achieved; the plan does not provide provisions for preventing increases in concentrations resulting from traffic increases; and the plan lacks a summary of data and calculations used to develop the proposed control measures.

Subpart SS—Texas

56. Section 52.2270 is amended by revising paragraph (c) to read as follows:

§ 52.2270 Identification of plan.

(c) Supplemental information was submitted on:

- (1) February 25 and May 2 and 3, 1972, by the Texas Air Control Board,
- (2) July 31, 1972, and
- (3) April 15 and 23, 1973.

57. Subpart SS is amended by adding § 52.2282 as follows:

§ 52.2282 Public hearings.

(a) The requirements of § 51.4 of this chapter are not met because principal portions of the revised plan were not made available to the public for inspection and comment prior to the hearing.

Subpart TT—Utah

58. Section 52.2320 is amended by revising paragraph (c) to read as follows:

§ 52.2320 Identification of plan.

(c) Supplementary information was submitted on May 8, 1972, and April 13, 1973.

59. Section 52.2322 is amended by adding paragraph (a) as follows:

§ 52.2322 Extensions.

(a) Utah's request for a 2-year extension for attainment of the national standard for carbon monoxide in the Wasatch Front intrastate region cannot be granted since it does not contain adequate information showing why the inspection program cannot be in operation in time to attain the standard by 1975; because the State has not considered and applied reasonably available alternative means of attaining the standard, including measures to reduce vehicle miles traveled, and because a phased implementation of the inspection program consisting of interim steps has not been discussed or proposed.

60. Section 52.2329 is amended by adding paragraph (b) as follows:

§ 52.2329 Resources.

(b) The requirements of § 51.20 of this chapter are not met because the transportation control plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out the plan during the 5-year period following submittal.

61. Subpart TT is amended by adding § 52.2335 as follows:

§ 52.2335 Control strategy: Carbon monoxide.

(a) The requirements of § 51.14(a)(2) of this chapter are not met because the transportation control plan does not contain an adequate description of proposed enforcement methods and designation of enforcement responsibilities, proposed rules and regulations, proposed administrative procedures to be used, and schedule of the dates by which significant steps in certain strategies will be achieved.

(b) The requirements of § 51.14(c) of this chapter are not met because the plan does not provide for the attainment and maintenance of the national standards for carbon monoxide in the Wasatch Front Intrastate Region by May 31, 1975.

62. Subpart TT is amended by adding § 52.2336 as follows:

§ 52.2336 Source surveillance.

(a) The requirements of § 51.19(d) of this chapter are not met because the transportation control plan does not indicate how surveillance will be accomplished to determine that the claimed emission reductions are being achieved.

Subpart VV—Virginia

63. Section 52.2420 is amended by revising paragraph (c) to read as follows:

§ 52.2420 Identification of plan.

(c) Supplemental information was submitted on:

- (1) May 4, 1972, by the Virginia Air Pollution Control Board, and
- (2) April 11 and May 30, 1973.

64. Section 52.2424 is amended by adding paragraph (b) as follows:

§ 52.2424 General requirements.

(b) The requirements of § 51.10(b) of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) as expeditiously as practicable, as evidenced by the State's failure to propose interim control measures to be implemented during the 2-year period for which an extension to attain the national standards was requested.

65. Section 52.2427 is amended by adding paragraph (c) as follows:

§ 52.2427. Source surveillance.

(c) The requirements of § 51.19(d) of this chapter are not met because the plan does not provide procedures for determining actual emission reductions achieved as a result of implementing the proposed transportation control measures.

66. Section 52.2428 is amended by adding paragraph (c) as follows:

§ 52.2428 Request for 2-year extensions.

(c) The 2-year extension requested for attainment and maintenance of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in Virginia's portion of the National Capital interstate region cannot be granted because the plan does not provide reasonable interim control measures.

§ 52.2429 [Amended]

67. In § 52.2429, the attainment date table is amended by replacing the date January 1975 for attainment of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the National Capital interstate region with the date "May 31, 1975."

68. Subpart VV is amended by adding § 52.2430 as follows:

§ 52.2430 Legal authority.

(a) The requirements of § 51.11(c) of this chapter are not met because the plan does not identify or provide copies of laws or regulations, necessary for carrying out the proposed transportation control measures.

69. Subpart VV is amended by adding § 52.2431 as follows:

§ 52.2431 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14(a)(2) of this chapter are not met because the plan does not provide a description of enforcement methods for all control measures, proposed rules and regulations for all control measures, or a schedule designating dates by which significant steps of the plan and each control measure will be implemented.

(b) The requirements of § 51.14(b) of this chapter are not met because the plan contains a catalytic retrofit control measure which cannot be implemented in time to contribute to the attainment of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) by May 31, 1975.

(c) The requirements of § 51.14(c) of this chapter are not met because the plan does not demonstrate that the proposed control measures are adequate for attainment and maintenance of the national standards.

(d) The requirements of § 51.14(g) of this chapter are not met because a justification is not provided in the plan for the air quality data used as a baseline for plan development.

70. Subpart VV is amended by adding § 52.2432 as follows:

§ 52.2432 Resources.

(a) The requirements of § 51.20 of this chapter are not met because the plan does not contain a sufficient description of resources available to the State and local agencies, and of additional resources needed to carry out the plan during the 5-year period following submittal.

71. Subpart VV is amended by adding § 52.2433 as follows:

§ 52.2433 Intergovernmental cooperation.

(a) The requirements of § 51.21 of this chapter are not met because the plan does not adequately identify the State and local agencies, and their responsibilities, involved in carrying out the proposed transportation control measures.

*72. Subpart VV is amended by adding § 52.2434 as follows:

§ 52.2434 Transportation and land use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the

Governor of Virginia must submit to the Administrator:

(1) No later than July 31, 1973, the legislative authority that is needed for carrying out the required transportation control alternatives.

(2) No later than December 31, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternatives.

Subpart WW—Washington

73. Section 52.2470 is amended by revising paragraph (c) to read as follows:

§ 52.2470 Identification of plan.

* * * * *

(c) Supplemental information was submitted on January 28, 1972, May 5, 1972, April 16, 1973, and May 21, 1973.

74. Subpart WW is amended by adding § 52.2477 as follows:

§ 52.2477 Source surveillance.

(a) The requirements of § 51.19(d) of this chapter are not met because procedures are not described for monitoring the status of compliance of the traffic-signal optimization programs, the heavy-duty vehicle exclusion programs, and the public transit programs in the Puget Sound intrastate region and in the Eastern Washington-Northern Idaho interstate region.

75. Subpart WW is amended by adding § 52.2481 as follows:

§ 52.2481 Control strategy: Control monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14(a) (2) of this chapter are not met because the transportation control plan does not contain an adequate description of proposed enforcement methods, proposed rules and regulations, proposed administrative procedures to be used, and schedule of dates by which significant steps in the inspection strategy will be achieved.

(b) The requirements of § 51.14(b) of this chapter are not met because the plan contains a loaded inspection control measure which cannot be implemented in time to contribute to the attainment of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) by May 31, 1975.

(c) The requirements of § 51.14(c) of this chapter are not met because the transportation control plan does not assure attainment of national standards for carbon monoxide in the Puget Sound intrastate region and in the Washington portion of the Eastern Washington-Northern Idaho interstate region and of national standards for photochemical oxidants (hydrocarbons) in the Puget Sound intrastate region by May 31, 1975.

76. Subpart WW is amended by adding § 52.2482 as follows:

§ 52.2482 Air quality surveillance.

(a) The requirements of § 51.17(a) (1) of this chapter are not met because the transportation control plan does not provide adequate assurance that air quality surveillance systems sufficient to establish the efficacy of the selected transportation control measures in attaining standards in both the Puget Sound intrastate and Eastern Washington-Northern Idaho interstate regions will be implemented and operated.

77. Subpart WW is amended by adding § 52.2483 as follows:

§ 52.2483 Resources.

(a) The requirements of § 51.20 of this chapter are not met because the transportation control plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out the plan during the 5-year period following submittal.

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